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# MONOGRAPH



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## Court Planning & Research

### The Los Angeles Experience

Office of Technology Transfer  
National Institute of Law Enforcement  
and Criminal Justice  
**INSTITUTE OF GOVERNMENTAL STUDIES** Law Enforcement Assistance Administration  
U.S. Department of Justice

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### COURT PLANNING AND RESEARCH The Los Angeles Experience

Daniel McGillis  
Lake Wise

March, 1976

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INTRODUCTION

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## **FOREWORD**

The special status that the judiciary occupies in our constitutional scheme has at times acted as a barrier to change, inhibiting the process of court reform. Today, public respect for the court is diminishing, undermined by growing dissatisfaction with the inordinate delays, overloaded dockets, and cumbersome procedures that are commonplace in many courts. Court reform now is a major national issue.

The growing sense of urgency has generated some positive actions. Professional court administrators are gaining acceptance. They have served in many places to relieve judges of day-to-day operational responsibilities and problems. But more comprehensive efforts are required if the courts are to achieve significant reform. To identify the critical needs, develop appropriate solutions, and allocate scarce resources wisely, systematic planning and research is essential.

The National Institute believes that planning and research can spur the kinds of reforms courts must undertake to become more effective. This monograph outlines the role that planning and research units can play in the improvement process. The report reviews many federal, state and local efforts and presents the experience of the Los Angeles Planning and Research Unit as a case study of one type of unit that is working well in a large metropolitan area.

Gerald M. Caplan  
Director  
National Institute of Law  
Enforcement and Criminal Justice  
March 1976

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<b>CHAPTER 1: OVERVIEW</b>	<b>1</b>
1.1 Introduction	1
1.2 The Scope of Court Improvement Needs	2
1.3 Recent Initiatives Encouraging Court Planning and Reform	3
1.4 Current Planning Capabilities	6
1.4.1 Statewide Planning Capabilities	7
1.4.2 Substate Planning Capabilities	9
<b>CHAPTER 2: THE LOS ANGELES EXPERIENCE</b>	<b>13</b>
2.1 Organizational Setting	13
2.2 The History and Organization of the Planning and Research Unit	15
2.3 Program Planning	18
2.3.1 Problem Identification	18
2.3.2 Project Selection	19
2.3.3 Development of Methodology for Individual Projects	21
2.4 A Sampling of PRU Projects	21
2.5 Internal Controls	24
2.6 Overall Effectiveness	26
2.7 Achievement of Stated Objectives	27
2.8 Future Directions	31
<b>CHAPTER 3: COMMENTARY</b>	<b>33</b>
3.1 Long-Range Planning	33
3.2 Administrative Location of the Planning Unit	37
<b>APPENDICES:</b>	
A. ABA and National Advisory Commission Recommendations	43
B. Examples of Current Court Improvement Programs	53
<b>Footnotes</b>	<b>69</b>

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## **CHAPTER 1: OVERVIEW**

### **1.1 Introduction**

Courts in the United States have been the target of a great deal of critical comment in recent years. Indeed, if criticism is enriching, it would be safe to say that the courts have experienced an embarrassment of riches. The attorney general of a major state recently characterized the court system in his state as "ineffective, inaccessible, chaotic, archaic, ponderously slow, and beginning to fall almost by its own weight."<sup>1</sup> Adjectives similar in tone and severity are commonly applied in formal court evaluations. At the same time that court systems are being dismissed as "hopeless," numerous jurisdictions are experiencing dramatic improvements in court functioning. For example, in a recent report the chief justice of the Ohio Supreme Court described the striking successes which have occurred in the Ohio court system. He noted that, "Five years ago the state courts were staggering under a backlog of nearly 10,000 cases. Today that backlog has been practically eliminated despite a 21 percent increase in case filings."<sup>2</sup>

What accounts for the disparity between court systems which are struggling to meet the demands placed upon them and yet are failing behind, and court systems which are beginning to function efficiently and effectively? What mechanisms can be developed to make court systems more effective, accessible, organized, efficient, and in control of their mandated tasks? This monograph discusses one possible mechanism for improving court functioning: planning and research units.

For the purposes of this paper, "planning and research units" are defined loosely to include all major agencies which have as their primary responsibility research and program planning

(including assistance in implementation) to improve the functioning of the courts. Units of this sort can exist in the judiciary, the executive branch (particularly in association with state planning agencies), or as quasi-independent agencies, sharing staff from both the judicial and the executive branches. Similarly, the units can exist at either a statewide, regional, or metropolitan level within states, and have either direct power over the allocation of federal and state funds or only the power to recommend allocations made by another agency.

It would be naive to suggest that planning and research units, by themselves, provide a panacea for court problems. Yet in conjunction with other initiatives -- most notably increased funding -- planning and research units might be expected to make a substantial contribution to court reform by serving as a vehicle for mounting reforms tailored to the specific circumstances of different jurisdictions.

## **1.2 The Scope of Court Improvement Needs**

The United States courts have been intensively examined in recent years, resulting in numerous recommendations for substantive changes. The American Bar Association has conducted two major standards and goals projects, both of which offer extensive recommendations for improvements in court functioning. Similarly, the National Advisory Commission on Criminal Justice Standards and Goals and the President's Commission on Law Enforcement and Administration of Justice have also provided numerous suggestions for improvements in the courts. Comparisons of the commission recommendations show a high degree of consensus regarding the specific needs of the courts. All three advisory groups concur that court administrative problems are ubiquitous. And all three make extensive suggestions regarding the development of centralized administrative authority, the adoption of modern techniques for case, personnel, fiscal and records management, revisions in court procedures and the development of alternatives to prosecution.<sup>3</sup>

A wide variety of mechanisms are required to institute the reforms recommended by the commissions. Some changes can simply be made by changing procedural rules under the control of the presiding judge or chief administrator (e.g., calendaring techniques).

Other changes require more extensive modifications in rules which can only be accomplished by legislation, decisions of the state supreme courts, or even state constitutional changes depending upon the situation in the specific jurisdiction (e.g., grand jury usage). Some modifications involve the development of service agencies (e.g., diversion programs, bail agencies, etc.), which require procedural changes as well as special funding.

In addition to procedural legislative or fiscal actions, the adoption of many recommended reforms requires a strong organizational commitment to the changes proposed. In highly decentralized systems which tend to maximize the autonomy of individual courts, large scale changes cannot be mandated by a central authority, but rather only recommended for consideration by the autonomous units. For this reason, unification of court systems has also been a constant theme of the various commissions.

### **1.3 Recent Initiatives Encouraging Court Planning and Reform**

Building on the recommendations of the national commissions, many court organizations have expressed an active interest in planning reform programs and controlling federal funds which could be used to implement these programs. In 1974 the Conference of Chief Justices and the Conference of State Court Administrators expressed strong concern over the inadequate resources available to the courts. In response to this concern LEAA requested a special study of state court funding. Conducted by American University,<sup>4</sup> the study presented findings which were quite unambiguous:

- (1) planning by state planning agencies for the judicial branch is uneven in commitment and scope;
- (2) state planning agencies have tended to superimpose their programming concepts on the state court systems, often allowing the courts to play only a subordinate role in the LEAA program;
- (3) of all criminal justice component systems, the courts have had the lowest level of participation in the LEAA support program (for instance, in Georgia in FY 1972, the percentage of LEAA funds expended on the courts as narrowly defined was 2.2 percent, and

as broadly defined 13 percent);

- (4) there is a disturbing shortage of court specialists and few devote full-time to this responsibility; similarly, the courts themselves lack the planning staff capability which is absolutely essential for their evolution and growth; and
- (5) existing court planning in most jurisdictions is not well developed; even where court systems have a planning capability, it is of recent origin and generally not sufficient to meet overall court management needs.

Based on these findings, the American University study concluded that:

"A concentrated effort should be undertaken by the courts assisted by LEAA nationally and regionally, and by the state planning agencies, to establish and strengthen independent planning capability within each state judicial system. This effort should be undertaken immediately and should be given highest funding priority. This immediate action should be supported by a commitment to develop (or maintain) a national resource to advance court planning capability on a continuing basis."<sup>5</sup>

In response to this recommendation, in 1975 LEAA initiated a major state judicial planning project with an appropriation of approximately \$1,000,000. The program was designed to accomplish two primary objectives: (1) to create a national resource center to support the creation of judicial planning units and to develop prototypical plans, and (2) to provide direct funding for judicial planning units in a number of states. Plans call for up to three million dollars to be budgeted in 1976 to continue the resource center and to fund additional judicial planning units.

The National Center for the State Courts is serving as the resource center envisioned in the program plan and is involved in a wide range of activities relevant to its mandate--developing a state-of-the-art monograph on the topic of court planning, compiling an exhaustive bibliography on the topic, aiding in the development of court planning units in four pilot states, and providing technical

assistance to other states on request. The Council of State Governments has also been funded by LEAA to assist in the development of state judicial planning capabilities. The Council is collaborating with eight states in an investigation of the current condition and means of improving judicial planning capabilities in these states. The ultimate goal of the project is to develop the "background, framework, and strategies for the institutionalization of planning within the state judicial structures"--in short, to place judicial planning on a permanent fiscal basis in the states.

In addition to these efforts to enhance judicial planning capabilities, the Conferences of Chief Justices and of State Court Administrators have passed resolutions strongly supporting a bill introduced into the House in July, 1975, by Congressman Peter W. Rodino, Jr., Chairman of the House Judiciary Committee.<sup>6</sup> The bill, known as the State Courts Improvement Act, would earmark 20 percent of LEAA grants for the state courts. Under this bill, control of the judicial planning process would pass into the hands of the courts themselves. Each state's court of last resort would develop an annual application for federal funds to be included in the SPA's comprehensive plan. During the first fiscal year following passage of the law, each Supreme Court would compile a multi-year comprehensive plan for improvements to be funded by both state and federal appropriations. Once the state's share of funds was received from LEAA, eligible court participants would apply for aid through the court of last resort rather than through the SPA. The law would also accord the courts one-third of the membership on state criminal justice planning agency (SPA) boards.

The provisions of this bill have stimulated substantial controversy. An issue that is commonly debated is the degree to which current SPA control of federal funds is an infringement on the separation of powers doctrine. In October, 1975, the then current chairman of the National Conference of State Criminal Justice Planning Administrators commented on the nature of the constitutional dispute. He noted that in general, the leaders of the SPAs have given support to the concept of developing judicial planning capabilities, but have opposed judicial control of a fixed portion of LEAA funds.<sup>7</sup>

In addition to the Rodino bill, the Ford administration's bill to reauthorize the mandate of the Law Enforcement Assistance Administration includes a provision to "explicitly identify improvement of state court systems as a purpose of the block grant program." This bill does not require a specific share of block grant money for the courts but "would provide a clear basis for rejecting plans that do not take this interest into account."<sup>8</sup>

Clearly, the judiciary has begun to express a strong interest in planning for reform in the courts and in controlling the funds necessary to execute these reforms. Regardless of the outcome of specific legislative proposals, the needs of the courts have become issues of national concern. These concerns were highlighted in recent testimony before the Senate Subcommittee on Criminal Laws and Procedures, which attributed rising crime rates to inattention to the problems of court administration:

"No matter how many police patrol our neighborhood streets, no matter how many jails are built, it is the courts alone that process both the guilty and the innocent and mete out punishment. The fact is, however, that the courts--especially the trial courts in our large cities--are not performing their function well. Beset with mushrooming dockets and shrinking budgets, our major trial courts are dispensing stopwatch justice on overloaded assembly lines . . . . Criminals play the odds. Court congestion and delay encourage the criminal to violate the law, knowing that his chances of being caught, tried, convicted and jailed are slim indeed."<sup>9</sup>

#### **1.4 Current Planning Capabilities**

While the arguments for the introduction of broad court reforms are both straightforward and compelling, the task of planning and executing these reform measures is a complex endeavor. Current judicial planning capabilities are relatively limited, and have only recently been the focus of study.

#### **1.4.1 Statewide Planning Capabilities**

The Council of State Governments conducted a survey in 1975 to determine the nature and extent of state judicial planning capabilities. The survey was conducted for the Conference of State Court Administrators and indicated that 24 states and the Commonwealth of Puerto Rico now maintain judicial planning units. Of this total, 19 planning units have been created in the past two years. The survey defined planning units loosely as agencies developing plans for the overall state court systems and complying with LEAA comprehensive plan requirements.<sup>10</sup>

Fourteen of the 25 planning units were created by the courts themselves, three were established by state legislatures, three by court administrators, and five resulted from LEAA grants. In 14 states, LEAA provided at least 90 percent of the financing for court planning, while planning units in five states drew all of their funding from state appropriations. Planning budgets in the majority of responding jurisdictions were under \$50,000, and the planning units in Illinois and New York were the only two with budgets in excess of \$100,000. Jag Uppal, the director of the Council's project, concluded on the basis of this survey that, "State judiciaries . . . have recognized the value of the planning process . . . . A trend is developing where planning efforts are bound to intensify both in scope and magnitude. . . ."<sup>11</sup>

The Report of the Special Study Team on LEAA Support of the State Courts also provides valuable insights into the current planning capabilities of the states. The report describes the planning capacities of four states in detail--Arizona, Georgia, California, and Wisconsin.<sup>12</sup>

- In Arizona the administrative office of the courts has a planning officer funded by the SPA. Due to the present balance of power in the SPA, the courts are able to get their own programs accepted without "significant difficulty." The Justice Planning Agency has also supplied a mini-block grant to the Arizona Supreme Court allowing it considerable freedom to plan and run statewide projects. The grant to the Supreme Court established a "Planning, Research, and Development" section in the Office of the Administrative Director of the Courts under the

authority of the Arizona Supreme Court. The section according to the grant report is "responsible for supervising projects, studies, and long-range planning research undertaken by the administrative director with state of federal funds. In addition, the section will function as a liaison between the Justice Planning Agency (to include all block and discretionary grants), the Supreme Court, and all court-related projects within the criminal justice system throughout the state of Arizona." Georgia's planning capability was viewed by the study team as roughly comparable in kind to that in Arizona.

- In California, a judicial planning unit has been created by the legislation. The Judicial Criminal Justice Planning Committee has seven members appointed by the Judicial Council and was designed to "plan" for the court system. The committee has as its major tasks (1) to work with the Office of Criminal Justice Planning in developing statewide criminal justice plans insofar as they affect the California court system and (2) to review all federal grant applications submitted to the Office of Criminal Justice Planning under the Safe Streets Act which are to be implemented within the California court system, and recommend what actions should be taken on the applications. In addition the committee has plans to work with the Judicial Council of California in developing statewide coordination in the area of grant projects.<sup>13</sup>
- Wisconsin's SPA has also funded a court planner within the Office of the State Court Administrator. In contrast to the experience in Arizona, however, the courts were reported to have considerable difficulty in obtaining project funds.

While encouraging the development of planning capabilities in all states, LEAA has not urged the adoption of a single form of judicial planning unit for every state, pointing out that "in the final analysis the planning mechanisms within a state will be determined by the structure of its judicial system."<sup>14</sup> LEAA's report on the topic stated that, "At the very least, this will require a judicial planning officer with a primary responsibility for statewide program planning and the ability to assist in developing contingency plans and operational plans."<sup>15</sup> The end result envisioned

for the judicial planning process is the development of a state plan for the judiciary comparable to those now being developed by the SPAs. LEAA recognizes that the contents of the judicial plans will vary greatly from state to state but has provided a sample table of contents for a judicial plan to illustrate the type of material that might be included. This includes: (1) a system description; (2) a definition of problems and needs as measured against prevailing norms (in particular, standards and goals); (3) a definition of program structure, goals, and objectives, and (4) the first year action plan listing the specific projects to be funded. It is also suggested that a statement of long-term goals, and a description of plan implementation should be included in the plan. Aspects of plan implementation include methods of project implementation (application processes, advertisement, etc.), grants management techniques, and plan review mechanisms.<sup>16</sup>

#### **1.4.2 Substate Planning Capabilities**

The development of statewide judicial planning capabilities is clearly an urgent national priority. An equally important and often more neglected area of concern is planning at the substate level.

Numerous circumstances favor the additional development of sub-state regional planning units to satisfy present court needs and ultimately to serve as an adjunct to the proposed centralized state planning units. One set of factors encouraging regional judicial planning units parallels those which have encouraged the development of strong regional planning organizations in a number of states as part of their State Planning Agency structure. In very large states, regional planning organizations are valuable because of the sheer size of the task of planning and disbursing funds. For example, the Los Angeles region of California controlled \$12 million in LEAA funds in 1975. Information availability is also greater at the regional level simply because the regional authority can maintain closer contact with local agencies and conditions. Similarly, regional planning authorities can encourage greater participation by those who will actually operate the projects and be affected by them, thus improving the quality of the services rendered by the planning agency. Given these circumstances, it would seem likely that many states which now have strong SPA regional planning organizations would develop similar regional organizations to serve the judicial

planning units. As is currently the case, the degree of responsibilities delegated to the regions would be likely to vary substantially, with some merely proposing occasional projects, some designing large-scale programs, and others engaged in comprehensive planning of the type requested of the states by LEAA.

Regional planning and research units can also serve as critical links to statewide judicial planning units due to the decentralized nature of the court system in many states. In states where no central authority exists to mandate reform projects, reforms must be carried on at the levels of the courts where implementation authority exists -- in some cases single courts or sections of the court system with unified authority structures. Planning and research units located in these court systems subsections could study and implement changes perceived to be of value by the specific section of the court system and tailored to specific local conditions. This form of research and planning unit would presumably be of value only in a jurisdiction of sufficient size to justify the hiring of separate planning staff. Considerations of scale suggest that courts with only one or two judges and a small support staff cannot effectively use a court planning unit, although even these courts are in need of planning assistance from time to time.

Currently, on a municipal or county level, no more than a handful of planning units exist. In Philadelphia, a Management/Evaluation Team has been created in the Philadelphia Court of Common Pleas. The team consists of ten persons, nine of whom are professionals. Its purpose is "to inquire, investigate and report on those areas on court management which the Court Administrator requests to be studied, and to suggest proposals, procedures, and strategies which can improve operations."<sup>17</sup>

In Cleveland, the Court Management Project focuses its attention primarily on the development of management information systems. The choice of projects is made by an advisory board of outside consultants and an executive committee of judges. Their approach to project selection is to review management techniques being employed in other jurisdictions to determine whether they are appropriate for Cleveland. The Project, sponsored by the Bar Association, is not formally attached to any courts in Cleveland. Its staff consists of two professionals, assisted by law student interns, and supplemented by extensive use of consultant manpower.

A third attempt at forming a courts planning unit on a local level is underway in Santa Clara County, California, where both the Superior and Municipal Courts have formed a permanent Joint Committee of judges complemented by a small independent support staff. It is the Committee's mandate to pursue a carefully drafted set of acknowledged judicial responsibilities including:<sup>18</sup>

- overseeing probation services;
- establishing uniform pre-trial release program standards;
- assuming responsibility for the accuracy of court statistics;
- inspecting state and local correctional facilities;
- ensuring the security of the courts;
- monitoring institutional and community treatment programs;
- reducing sentencing disparities;
- promoting judicial training efforts for both new and experienced judges;
- staying abreast of all available sentencing alternatives;
- opening channels of communication within the criminal justice system;
- ensuring the quality of defense counsel; and
- taking responsibility for the provision of speedy trials to all criminal defendants.

Following an analysis of the recommendations of the Courts Task Force of the National Advisory Commission on Criminal Justice Standards and Goals, the Joint Committee adopted its own set of court standards which have guided its operations since mid-1975. The standards of the American Bar Association are in the process of Committee review and will serve to define further the subsequent activities of the Committee.



## **CHAPTER 2: THE LOS ANGELES EXPERIENCE**

The Los Angeles County Municipal Courts Planning and Research Unit (PRU) provides a wide variety of services to the Los Angeles courts including studying problem areas, and designing, implementing, and evaluating court improvement programs.

Operating within a court "system" composed of wholly autonomous judicial districts, the PRU has not engaged in theoretical long-range planning exercises. Rather, it has adopted a project-specific approach to court planning and reform--an approach born of the necessity to establish its credibility in an environment lacking any sense of central organization. Though its potential as a planning organization has yet to be fully realized, the PRU's success in gaining the confidence and addressing the immediate problems of its host courts is a substantial accomplishment. How the PRU operates, and why it has taken on the approach and the projects it has, are the subjects of this chapter.<sup>19</sup>

### **2.1 Organizational Setting**

The Planning and Research Unit serves the Los Angeles County Municipal Courts, a federation of 24 otherwise independent Municipal Courts located in discrete judicial districts within Los Angeles County. Municipal Courts are trial courts, created by the California State Constitution and granted jurisdiction in cases involving misdemeanors, traffic violations, and small claims, as well as other civil matters where the amount in controversy is less than \$5,000. Preliminary hearings in felony proceedings are also conducted in the Municipal Courts. In 1974, a total of 362,620 criminal, 4,535,488 traffic, and 286,912 civil cases were filed in the Municipal Courts of Los Angeles County.

Each court is located in a judicial district that serves a minimum population of 40,000 persons. The largest is the Central Los Angeles District with 67 judges. Long Beach, the second largest Municipal Court in the county, has only seven judges. Most other courts have three or four judges; several have only one. Altogether, the County Municipal Courts have 143 judges.

Each Municipal Court is an autonomous unit for the purposes of administration. Neither the formal authority at the state level nor the informal structure within the county can bind the 24 judicial districts of Los Angeles County into a coordinated whole. Formal authority for the administration of all courts in California is vested in a state-level Judicial Council and its staff agency, the Administrative Office of the Courts. The Judicial Council promulgates rules of court that are binding upon the Municipal Courts and engages in the development of administrative and managerial solutions to problems that affect the courts on a state-wide basis. Nevertheless, its work leaves untouched a myriad of court problems that affect the Municipal Court on a day-to-day basis. In no realistic sense does the Judicial Council or the Administrative Office of the Courts administer the trial courts, nor does it really "oversee" their administration.

There is no centralized administrative apparatus on a county level either. The judges of the Los Angeles districts are members of the Los Angeles County Municipal Court Judges' Association, an organization established to help dispense information and to co-ordinate activities and policy making in areas of common concern. The organization has several elected officers and standing and ad hoc committees. It also has the formal authority to appoint the county Marshal. When the Association has considered a matter and given its imprimatur to a certain policy, the action carries significant weight in the judicial community. Nevertheless, judges are not obligated to abide by the Association's decisions. The power of the Association is limited by the respect and cooperation it can win from individual judges.

In sum, no overarching structure exists to unify the 24 Municipal Courts of Los Angeles County. Administrative power is concentrated in the offices of the Presiding Judge of each court. In the larger courts, the Presiding Judge is elected on an annual basis, the position often going to the judge who was served longest. In smaller courts the position may be rotated among the judges.

However chosen, the term of office is one year, and during that time the Presiding Judge is administrative master of the court. He supervises the work of the Court Clerk and the administrative staff, makes judge assignments, controls the scheduling and use of Commissioners (subordinate judicial officers), and makes the day-to-day operating decisions.

In the Los Angeles District, an Executive Committee has been established, comprised of eight judges who act in an advisory capacity to the Presiding Judge. The committee meets monthly to discuss matters brought before it by the Presiding Judge. No other Municipal Court in Los Angeles has a similar arrangement. The Los Angeles District also has an administrative officer, who is also a Commissioner of the Court, dividing his time between the two jobs. One other court in the county has an Executive Officer who serves as a court administrator.

## **2.2 The History and Organization of the Planning and Research Unit**

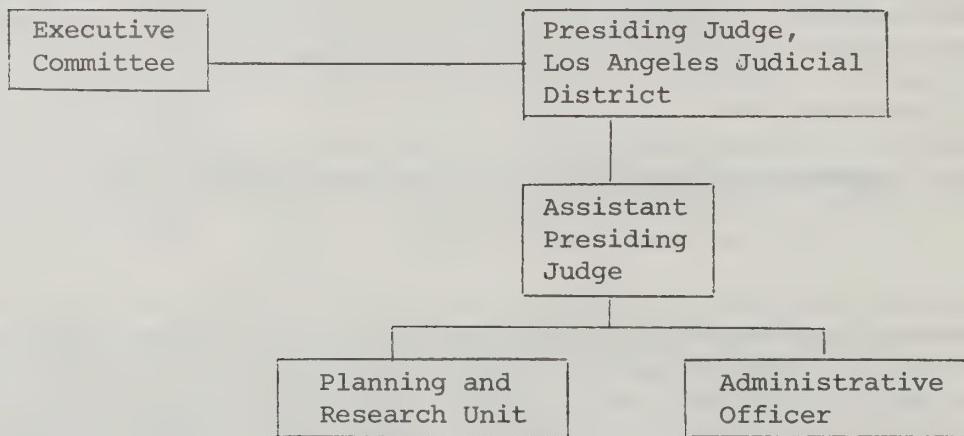
In 1973 there was no capability within the Los Angeles Municipal Courts for planning--neither the analysis and proposed solution of specific problems nor the comprehensive planning of court activities for the future. Neither the California Council on Criminal Justice nor the Los Angeles Regional Criminal Justice Planning Board nor any individual court was well prepared to undertake court program development.

During the spring and early summer of 1973, the four officers of the Los Angeles County Municipal Court Judges Association, the Assistant Presiding Judge of the Los Angeles Municipal Court, and the Courts Specialist with the Los Angeles Regional Criminal Justice Planning Board, among others, agreed upon the need to create a planning agency. The agency was intended to serve all of Los Angeles County, but was located in the office of the Presiding Judge of the Los Angeles district because the Los Angeles district was the largest and most centrally located, and the arrangement promised ease of administration. Law Enforcement Assistance Administration funding was obtained and, in August 1973, the Planning and Research Unit began to operate with

a staff of three professionals. By January, 1974, the staff had expanded to its present size of six professionals, an administrative secretary, two judicial secretaries, and a complement of graduate and professional school "interns."

As displayed in Figure 1 below, the Planning and Research Unit is still attached to the Office of the presiding Judge of the Los Angeles Judicial District.

**Figure 1: Current Structure of the Planning and Research Unit**



Owing to the decentralized nature of the county municipal courts, the Planning Unit has no formal authority, or statutory responsibility, within the other 23 judicial districts. Nevertheless, its mandate calls on it to coordinate planning for the entire county and to enhance cooperation among all 24 districts. To this end, the Unit initially established a Review Committee of judges interested in having a continued input into project operations. The Review Committee was disbanded in 1974. Now, the unit has replaced the Review Committee with an Advisory Board of judges, to serve a function similar to that of a Board of Directors. The new Chairman of the Los Angeles Municipal Courts Judges Association considers the formation of such a Board one of his top priorities.

The Presiding Judge of the Los Angeles Judicial District now serves as the PRU's official Project Director. In this capacity, he is responsible for the general supervision of the unit, including liaison with other judicial and governmental agencies, review of fiscal documents and the annual grant application, and, most significantly, authorization of the unit's involvement in particular projects. Three successive Presiding Judges have held this position and each has handled it differently. All have maintained close communication with the Chief Planner, and, except for project selection, have acted primarily in a review capacity, leaving the direct management of the Unit to the Chief Planner. The amount of time devoted to the project has varied according to the Presiding Judge's personal interests and the nature of the work being handled by the PRU.

The unit staff (six full-time professionals and three secretaries) is supplemented by a flexible complement of part-time graduate student interns. The unit is headed by the Chief Planner. As the project executive, the Chief Planner engages in a wide range of activities that fluctuate according to the needs of the unit. Typically his time is spent meeting with judges and other criminal justice practitioners, developing new project ideas, and supervising his staff in the preparation of research and planning projects. He assigns tasks, monitors their completion, and reviews all correspondence, reports, and documentation generated by the office. The Chief Planner is accountable to the Project Director. Currently the position is held by one of the founders of the unit, an attorney with prior experience in the Los Angeles Regional Criminal Justice Planning Board.

Supervised by the Chief Planner are two Assistant Planners and three Planning Assistants. By their formal job descriptions, the Assistant Planners have administrative responsibilities that are not shared by the Planning Assistants. In practice, the jobs are not sharply differentiated. One Assistant Planner is responsible for all projects requiring the application of computer technology to court problems. This position is currently held by a computer specialist trained in aspects of judicial administration; he is the only non-attorney on the professional staff. The administrative responsibility of the second Assistant Planner complements that of the first: to supervise projects which do not require the application of computer technology. Other functions include routine office management and assistance with problems involving fiscal affairs. Like all others in the PRU, the Assistant Planners

engage in research, writing, and program development. The professional staff is filled out by three Planning Assistants who are chiefly responsible for research, writing, and planning tasks, but are often involved in the projects' implementation as well. Currently all positions at this level are held by attorneys. Starting salaries at the PRU compare favorably with those paid at local Los Angeles law firms.

An extra measure of staffing flexibility in the PRU is maintained through the use of graduate students who are hired on a part-time basis throughout the academic year and during the summer. Occasionally students are hired on a short-term basis because of special skills or expertise relevant to a particular project, but for the most part they are given permanent, part-time jobs. These "interns" are drawn from graduate schools of law, business, and public administration.

The Planning and Research Unit maintains a high degree of internal organization, using a record-keeping system that has been developed and refined over the past two years. The system helps the Chief Planner keep track of and plan all unit activities and enables the professional staff to have immediate, up-to-date, and complete access to all files maintained by the project. The salient features of the system are described later in this chapter.

## **2.3 Program Planning**

Identifying problems in the Municipal Court system and devising projects to solve them is the essence of the PRU's function, or that of any project-specific court planning unit. This section documents the PRU's approach to program planning.

### **2.3.1 Problem Identification**

In preparing the first grant application, the designers of the PRU relied on the *Judicial Process Task Force Report*, a document authored by the California Council on Criminal Justice, to iden-

tify major problem areas in the structure and operation of the courts. Although the report broadly considered all levels of the courts in all parts of California, project sponsors felt that much of its analysis and many of its recommendations were appropriate to the situation in the Municipal Courts of Los Angeles and that it was therefore a useful orientation document for the planning unit. A list of problems was taken from the Task Force Report and presented to the Presiding Judge of each judicial district during the course of introductory visits to each court. Each judge was asked to identify those problems which affected his court and then to rank them according to their seriousness. The judges were also invited to identify any serious problem not appearing on the list. Through this process an ordered list of priority problems was created.

Less systematic methods of identifying problems and project areas have also been employed. At the same time they were asked to identify significant court problems, the Presiding Judges were solicited for ideas about individual projects in which they maintained a personal interest. This produced numerous requests for assistance. A few of the more administratively active judges did not wait to be solicited, but contacted the unit directly, requesting assistance and suggesting areas of involvement to the Chief Planner. Contacts with other judicial, planning, and affiliated criminal justice agencies often yielded suggestions for projects. Occasionally, a decision in a higher court or the passage of a piece of legislation has created a need for a change in procedures in the Municipal Courts, or perhaps just sparked the interest of a judge or planner in a particular area of possible improvement.

### **2.3.2 Project Selection**

The process of determining where to invest the PRU's energies has varied somewhat during the project's two years of operation. During 1974, project proposals were often forwarded directly to the planning unit. Staff would discuss the suggestions and then meet with the Presiding Judge to determine how to respond to them.

The decisions to focus attention in a specific area were based on a number of different considerations. Some were in keeping with

a starkly rational model of planning and involved such issues as whether the problem area had been identified in the *Judicial Process Task Force Report*, whether it was among the priorities identified by the Presiding Judges, whether it had county-wide significance, and how important it seemed in terms of likely benefits to the courts. Other considerations were related to the need to show unit effectiveness in order to gain improved cooperation and to qualify for continued funding and eventual integration into the county budget. Additional considerations had to do with what might be called the politics of institutionalization.

Project staff realized that the unit was attempting to operate in an administratively conservative system where judges tend to protect their autonomy and judicial prerogatives. Therefore, the level of judicial support for a given project was obviously a determining factor in the selection of PRU activities. A strategy of winning the cooperation and trust of individual judges by performing well on projects with which the judge identified, even if relatively inconsequential in the overall pattern of municipal court problems, was sometimes consciously undertaken. Other considerations that influenced the activity of the planning unit were mandates emanating from legislation or case law, the opinion of the Presiding Judge, and the availability of staff to handle the problem.

Effort was made to develop a "mix" of activities for the planning unit. As a result, work that would engage the attention of the unit for several years was undertaken, as was some that could be completed in a matter of days; problems that affected the entire county were addressed, along with issues that were of interest only to individual judges; strict research projects were mixed with efforts that involved the creation of a tangible product or the implementation of an operating project.

In a recent reorganizational proposal, the PRU suggested the creation of an Advisory Board consisting of the Presiding Judge of the Los Angeles Municipal Court, the Chairman of the Los Angeles County Municipal Court Judges' Association, and several other judges chosen to represent Los Angeles and the other districts. One of the primary functions of the Board would be to help the planning unit establish priorities among identified court problems and proposed projects.

### **2.3.3 Development of Methodology for Individual Projects**

Once a project has been assigned, the principal planner for the project outlines a work plan, the formality of which depends upon the complexity of the assignment. If the project involves short-term research or assistance to an individual judge, there may be no need to prepare an outline; if it involves a complex implementation or the production of a major report, the outline is often developed in detail.

The preparation of the work plan begins when the principal planner describes the problem and possible solutions, and proposes a preferred solution and a method of achieving it. These findings are then disseminated to all staff in a document called the "Project Description." Later, at a full staff meeting, the "Project Description" is reviewed, revised as necessary, and finalized. An objective and a methodology are agreed upon.

The methodology of each project is different, but typically involves legal, social and organizational research; discussions with judges, clerks, and county or private social agencies; preparation of reports, plans, grant applications; and, sometimes, implementation of projects. PRU policy requires the active involvement of affected and interested parties at the earliest possible stage of development.

As the project proceeds, the planner's activity is monitored by the Chief Planner through the mechanism of a goal-oriented timetable. The timetable is created by the Chief and the planner, who jointly identify specific activities or products (taken from the approved methodology) as interim planning goals and establish deadlines for accomplishing them. The Chief Planner periodically reviews the achievement of these goals, and meetings are held to confirm completion or agree upon a revised timetable or methodology.

### **2.4 A Sampling of PRU Projects**

In its first two years of operation, the PRU received more than 1,000 project suggestions and requests for assistance. Frequently, the unit's response to these took the form of informal projects or

research, performed primarily as a service to the requesting agency or judge. The Chief Planner estimates that approximately 30 percent of the effort exerted by his professional staff went to accomplishing these minor tasks.

The remaining work was devoted to more formal projects. A complete list of those undertaken as of December 31, 1975, is included in the appendix. The projects described below are those most often identified by PRU staff and judicial personnel as significant examples of the unit's work.

- Bail by Mail. The PRU coordinated the implementation of an automated system in the Los Angeles Judicial District to permit traffic offenders to "post bail" through the mail, thereby making travel to the Courthouse unnecessary.
- PASS. The unit developed and is now in the process of implementing an automated data system which will provide all municipal courts in Los Angeles County with immediate access to criminal history information. The PASS communications network will also provide a mechanism for the county-wide expansion of the Municipal Courts Traffic Records System.
- Implementation of P.C. § 647ff: Detoxification Center. The unit coordinated the development and implementation of Los Angeles County's first alcohol detoxification facility, authorized by a recent change in the Penal Code to divert public inebriates from the criminal justice system.
- Legislative Report. Each year during the legislative session, the project identifies, abstracts, and follows all court related bills, and prepares a legislative report every six weeks.
- Criminal and Civil Case Following and Calendaring. The Planning Unit is participating in the development of an automated system that will record information on the status of cases from their initial filing through disposition. This system

will reduce delay and backlogs by enabling the courts to determine the precise status of a case at any particular time, and by providing an automated calendaring capability. The system will also automatically produce reports required by the Judicial Council and the Department of Motor Vehicles, as well as management information for analysis of caseloads and filing trends.

- Trial Court Reorganization. Since its inception, the Planning and Research Unit has been actively engaged in the study of trial court reorganization. The Unit has amassed a library of resource materials on the subject for use by the municipal court judges and has prepared an in-depth study of Legislative attempts to consolidate the trial courts of California. In addition, Planning staff have assisted the Chief Administrative Office of Los Angeles County and continue to analyze the cost effectiveness of court reorganization proposals.
- Small Claims Court Brochure. In conjunction with Municipal Court Judges, the Planning Unit prepared a brochure describing the availability of the small claims court and an outline of procedures followed in a small claims case. This brochure (prepared in both English and Spanish) was distributed through the Planning Unit to each of the twenty-four municipal court judicial districts, and through the Board of Supervisors to public schools, libraries, and other community agencies.

The entire range of court activity is considered within the purview of the planning unit. Projects have addressed issues of court procedure, administration, information systems, and rehabilitative services. Several have concerned the structure of the California Court system itself (e.g., the Trial Court Reorganization Project). Roughly half have been concerned exclusively with aspects of the criminal court, another quarter affected only the civil court, and the remainder concerned both. Much of the PRU's work has affected all 24 municipal courts in Los Angeles County, several projects have had immediate statewide significance, and one--a survey of small claims court procedures--was national in its scope.

The type of PRU activity performed for each project varies as widely as the subject matter. In some instances the unit merely collects and publishes information; other times it conducts analyses and makes policy or planning recommendations; sometimes the PRU plans programs and in some cases implements and evaluates them. The nature of unit activity varies according to the project goal.

## 2.5 Internal Controls

The work of the Planning and Research Unit is highly organized and extensively documented as it is performed. Each staff member is responsible for completing regularly:

- administrative logs, including timesheets showing the amount of time devoted to each assigned task, mileage records for travel reimbursement, and logs of all long-distance telephone calls;
- contact records, including a "contact sheet" to record every telephone or personal meeting with persons outside the PRU, and file memos of any substantive discussions with such persons; and
- project management reports, including task description and completion forms which are prepared as part of the implementation plan and then completed when the task has been performed; and weekly reports on every assigned project.

These records and others are organized into five "manuals" and seven major common files. Through this system, every staff member can readily review any prior activity of the PRU in any project area and bring himself or herself up to date without having to rely on the time or the memories of others who may not be available.

The five manuals are as follows:

- the project manual, maintained by the Chief Planner, which contains the task completion forms for all current projects plus a summary for each staff

member of current assignments and key document completion dates;

- each staff member's operations manual, containing basic information such as judge assignments and a copy of the current PRU grant application, procedural information such as office procedure guides and forms, and administrative records including the logs noted above;
- the public information manual, which includes a checklist of media contacts and a set of sample press releases;
- a fiscal manual, a current record of time and money spent; and
- the office management manual, which includes lists of publications and supplies ordered and lists of issues for the weekly staff meeting.

In addition to the manuals, there is a combined filing system divided into seven major files. They are as follows:

- judge relations, including all requests by and correspondence with judges;
- public information, clippings and Judges' Association newsletters;
- liaison;
- office management, including correspondence, contact sheets, and personnel records, travel requests, and requisitions;
- operations, all the details of grant compliance and fiscal reporting;
- evaluation, covering quarterly reports and an outside management evaluation; and
- project management, which includes all project-specific documents.

The project management file, by far the largest, includes the following categories for each project:

- project descriptions, the initial documents prepared for each project;
- weekly reports;
- flow charts of implementation activities;
- reports and memoranda to judges;
- project reports to the PRU;
- county-wide project reports;
- correspondence;
- surveys and questionnaires;
- public information (i.e., news clippings);
- research materials; and
- other special categories relevant to the particular project.

Within the manuals and files, then, the PRU's bank of information includes a history of every project and records of other PRU activities as well.

The Chief Planner is able to monitor project progress quite carefully via the project manual and regular weekly staff meetings. He feels that this continual monitoring capability is one of the chief causes of the unit's effectiveness.

## 2.6 Overall Effectiveness

The project's first year of operation was budgeted at \$125,000 for a full-time project director, two planning assistants, and a secretary. In 1974-75, the project was expanded to \$328,000 with a Chief Planner, two assistant planners, three planning

assistants, three secretaries, and seven student interns. The third year's grant application calls for a level of effort similar to the second year's.

Given the nature of its product, evaluating the effectiveness of this organization is a difficult task. In the first place, an estimated 30 percent of PRU resources are devoted to providing various members of the court system with day-to-day, short-term technical assistance, the outcomes of which are never directly recorded, and often not recordable. Even in those large scale efforts where a clearly definable PRU commitment is to be found, the impact of the planning unit's actions follows at a level at least once removed from actual project activities: Since the PRU's usual role is to initiate projects designed to generate benefits in their turn, the results of many projects are simply not within the sphere of PRU control.

In some instances even these second generation projects may not have immediate beneficial effects, but rather may influence yet a third activity (e.g., reports on pending legislation, brochures, and collection of resource materials on court reorganization).

Though traditional outcome measures are difficult to apply to the PRU, the Unit clearly fills a critical need for the Los Angeles Municipal Courts. Indeed, its development and survival in a court "system" with no central authority or unified management, is itself an important measure of the PRU's value as a tool for court improvement.

## 2.7 Achievement of Stated Objectives

Clearly the PRU was designed to serve many functions. As the above discussion implies, it is perhaps most appropriate to evaluate the PRU as an administrative services unit, engaged in project development and specific research, and not as a planning

unit per se. Here the statement of objectives appearing in the Unit's third-year grant application serves as a standard against which to measure goal achievement. For the purpose of these evaluative remarks, the term "planning" will refer to the planning required to develop and help implement a project.

- (1) *To coordinate the planning and research activities for the 25 judicial districts of Los Angeles County.*

With virtually no planning or operational research being undertaken within any of the courts, the mere creation of the PRU put it in the position to "coordinate" the planning and research activities for the 24 judicial districts.

No data have been assembled to indicate the nature, extent, or effectiveness of the Unit's coordination of planning and research, but there are strong reasons to believe that the PRU is the recognized planning agency for the Municipal Courts. First, all courts in the county have been involved in selected projects, such as in the PASS system. Second, the Municipal Court Judges' Association, in its role as a representative agency for the 24 judicial districts, has made use of the planning unit and, according to its officers, expects to do so more and more often. Third, the planning unit has developed a cooperative working relationship with the only other court with an independent planning capacity, the Compton Judicial District.

It should be noted, however, that factionalism within the court structure affects user perceptions of the planning unit in a way that partly diminishes its coordination role. It is reported, for instance, that certain administrative tensions exist between clerks and judges. As a result, the planning unit may be perceived by the clerks as an instrument of the judges, creating some reluctance on their part to seek assistance from the PRU. Similarly, there is a reported distinction felt between judges in Los Angeles and those in the outlying 23 districts. Some judges in the outlying districts are said to regard the PRU primarily as an agency of the Los Angeles District. Both of these perceptions probably restrict the full development of the planning unit's coordination function, though it is difficult to estimate the degree or effects of the restriction.

- (2) *To develop a systematic approach for communication between individual judges and among the 25 judicial districts.*

No specific information exists to document the level of communication among judges and between districts prior to the institution of the PRU, nor is any now available to show the effect of the PRU. Judges offered contradictory answers when asked about any changes in their communications with one another. Some report change in the frequency of contact; others said it has increased substantially, especially among those judges most interested in judicial administration.

- (3) *To ensure that judges will keep aware of project progress and the identification of new problem areas.*

The PRU has been involved in frequent and often systematic information dissemination efforts. A legislative report summarizing all court-related activity in the state legislature is distributed every six weeks; reports about ongoing projects, mailings requiring a response from the judges, major reports reflecting the findings of a PRU study, or announcements are mailed to all judges at an estimated rate of two per month; and all Presiding Judges have been visited by PRU staff. Moreover, the Unit has distributed numerous press releases describing its activities to local legal newspapers. There is no doubt that a vast amount of communication has taken place from the PRU to the judges of the municipal courts.

- (4) *To plan and implement operational programs to deal with the problems identified by the Municipal Court Judges.*

Several programs initiated to respond to judicial concerns have been discussed above. Although the effectiveness of every program is not evaluated rigorously, some outcome information is available from two projects which the PRU has implemented: Bail-by-Mail and the Detoxification Project. Reported results of the Bail-by-Mail project indicate a decrease in the number of telephone calls made to the Traffic Court, and an increase in net court revenues. Anticipated system improvements in the form of a reduction in the issuance of arrest warrants have not materialized. The Detoxification Project reports that its operation has reduced the number of public inebriation cases by 12.5 percent in its District, also effecting a savings in police time.

Personnel who oversee and operate these projects enthusiastically commend the PRU for their work in initiating, planning, and implementing the projects. Without exception, the PRU is highly praised for the thoroughness of its research, its punctuality, its cooperativeness, the realism of its planning, and the energy with which it participates in the projects. When asked for suggestions as to how the PRU might be changed to improve its performance, personnel associated with the Detoxification Project urged that the Unit be expanded so that it might work on even more projects.

Similar responses come from judges questioned about the adequacy of the PRU's written materials. The Unit and its staff are characterized as intelligent, capable, prompt and thorough in their analysis. Not all judges agree with all of the Unit's recommendations, and some have other reservations about the group's operation, but no one questions the caliber of its work. It should be noted that the judges commenting on the PRU are, for the most part, judges who have been actively involved in one or more of the planning unit's projects.

- (5) *To establish channels of communication from the Municipal Courts to the Superior Courts, law enforcement agencies, Public Defender, District Attorney and City Attorney.*

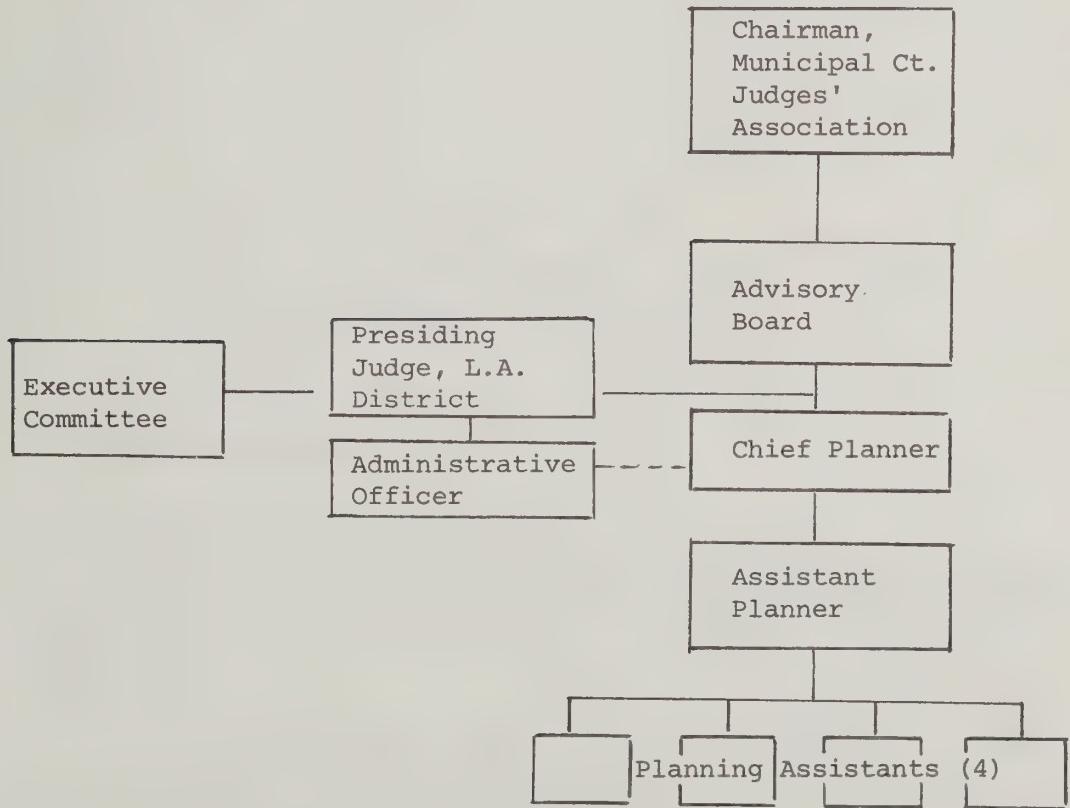
Before the PRU was founded, external criminal justice agencies had extreme difficulty in eliciting even the most routine information from the Municipal Courts. The problem was simply that there was no focal point in the "system" where queries could be addressed or other assistance sought. For the external agencies, the creation of the PRU provided a contact point within the Municipal Courts. External agencies now contact the Unit for information about the court structure and to seek cooperation on joint ventures. In turn, the PRU contacts the agencies in the normal course of research and project planning.

When asked about the quality of the work performed by the PRU, agency representatives responded with the same enthusiasm as the judges and project personnel. All verify the cooperation, punctuality, thoroughness, quality of work, and energy of the Unit. Top police officials were especially complimentary and two respondents reported that no other public agency is as competent as the planning unit.

## 2.8 Future Directions

The PRU has recently proposed a reorganization of its structure depicted in the figure below. The impetus for reorganization is the anticipated integration of the PRU into the regular county budget and a consequent desire to make the Unit more immediately responsive to all Municipal Courts in the county.

Figure 2: Proposed Organizational Chart



The proposal now under consideration would leave the Los Angeles Presiding Judge as Project Director, carrying out those routine

fiscal and administrative functions which require judicial involvement. But he would share the policy-making function with an Advisory Board in which he would have a single vote. Four other judges from the Los Angeles District and four from outlying districts would also sit on the Board, as would the Chairman of the Municipal Court Judges' Association.

Within this revised organization, control over PRU activities will be dispersed beyond the Los Angeles District as other judicial districts will be represented in a more formal way. This in turn may lead to more cooperative efforts among all 24 Los Angeles Districts, enhancing the ability of the PRU to expand its project-specific planning successes into long-range court improvement plans.

## CHAPTER 3: COMMENTARY

The Los Angeles Planning and Research Unit provides one example of how a court planning unit developed and functions in a complex, multijurisdictional urban environment. Many of the characteristics of the unit can be traced directly to its need to adapt to that environment, and would not be appropriate in different environments. This chapter is devoted to an exploration of choices which arise in the process of implementing a court planning unit in a given locality. Two major decisions will be discussed:

- scope of problem areas: long range planning vs. problem-oriented planning; and
- administrative affiliation of the unit: within the judiciary or executive branch or as a quasi-independent agency.

### 3.1 Long-Range Planning

The Los Angeles unit has focused on identifying specific court problems and designing and implementing programs to address these problems. For two primary reasons, the PRU has not developed a system-wide, long-range plan for the Los Angeles County Municipal Court System:

- Authority limitations. The unit is formally attached to only one of the 24 Los Angeles County Municipal Courts. The presiding judge of that court has the authority to enact some changes in his court but each of the other 23 courts is totally autonomous. Thus, no central authority is available in the Los Angeles County Municipal Courts to guarantee that a long-range plan for court improvement would be implemented if one were developed.

- Funding pressures. The Los Angeles unit needed to demonstrate rapidly its ability to reduce significant problems in the courts in order to establish its credibility and develop support for continued funding from the Los Angeles County budget once its initial LEAA grant funds were expended. Since the unit had limited resources, efforts at long-range planning early in its history might have reduced the unit's ability to demonstrate its immediate usefulness in implementing court reform projects.

In short, the choices of the Los Angeles unit reflect an emphasis on planning as a service function for the courts, rather than a source of direction. Accordingly, it has looked to its client courts to supply and prioritize tasks for it, rather than attempting an independent needs assessment which might give the unit greater autonomy in controlling its planning activities. The limited planning scope reflects the project's estimation of the kinds of innovations it could introduce and its belief that as a novel institution it could accomplish most by restricting its attention to problems identified by client courts, devising solutions on a case-by-case basis.

Such a strategy certainly facilitates organizational survival, which is clearly important during the formative period of a unit. Although this strategy may prohibit the development of the more far-reaching options that a thorough analysis and long-range plan might reveal, without a court organization geared to accept and act on the results of a long range planning process, these "more far-reaching options" may have little practical value. In the final analysis, the extent to which a planning unit can afford the luxury of greater autonomy implicit in long-range system-wide planning depends on its assessment of the political climate in which it operates and the administrative stability of the unit.

For units able to undertake long-range planning, the eventual rewards are potentially large. A systems analysis approach does not preclude the kinds of project-oriented work typified by the Los Angeles Unit. It has to do more with the way specific programs relate to one another and the way in which action areas are chosen. Bail-by-Mail, for instance, was a highly visible reform, one that many jurisdictions with no particularly strong commitment to planning have been able to implement. That the PRU was able to implement it is more a tribute to their ability to function as change agents than a reflection of any specific planning process. A unit devoted to

long-range planning might also have produced bail-by-mail, but it would have done so (1) after determining that solving this problem in some sense reflected the most productive use of its time, and (2) as part of a coherent program to deal with a broader court problem (e.g., devotion of court resources to tasks for which judges and courts were not required).

Such a long-range plan would be characterized by an attempt to enumerate exhaustively all the goals of the courts, all the resources available to attain those goals, and all the measures which would be required to indicate the degree to which courts were meeting or falling short of those goals. The end product of this enumeration is the information required to construct a formal assessment of the needs of the court system which the planning unit should consider addressing. It is important to note that this process of needs assessment always occurs. What varies is not the execution of a needs assessment, but the thoroughness with which relevant data sources are examined. Needs assessments can range from the "everybody knows . . ." variety to multi-manyyear studies. The degree of effort appropriate depends both on the ease with which information can be gathered and on the weight of decisions resting on the study.

Most courts suffer one or more of a number of highly visible, well-publicized problems: delay in disposition, budget crises, cumbersome records systems, duplication of effort, personnel problems, etc. A formal needs assessment may reveal a single cause underlying many such problem symptoms, in which case the planner's responsibility becomes clear. On the other hand, it may show that a decision must be made among competing problems, not all of which can engage the planner's attention at once. In this case a further analytic step is required before actual solutions can be specified, since some sort of prioritization must be imposed to select those problem areas of greatest potential return. Ideally such a prioritization should be based on both an estimate of the probability that information generated by the planning unit will actually change the situation and the total expected utility of such a change. In practice, as was seen in the Los Angeles instance, other, more immediate considerations of political survival also must enter the decision. In the ideal case, the prioritization might involve a poll of affected users, including an estimate of impact on the general public. In the real case it becomes necessary to temper such assessments with the need to fulfill the planning unit's role of servant to a particular court or set of courts, or even to subunits (e.g. presiding judges) within the courts.

Once the field of attention has been narrowed to an identifiable problem, the planning unit can begin the systems analysis phase of long range planning. As was the case with the needs assessment, any planning activity inherently involves a systems analysis phase; analyses differ only in their thoroughness and accuracy. The stages of a formal approach to the problem would include identification of relevant actors and their impact on the system and construction of a conceptual model of how changes in the behavior of one part of the court system will affect other parts.

To some extent, this formalism may be overly elaborate for the usual court context, in which the actors are few and have comparatively well defined roles. As is always the case in systems which have evolved over as long a period as have the courts, informal analyses have been developed and incorporated into the system. There is a clear advantage to recognizing and utilizing this informal, traditional knowledge and to treating the persons who have accumulated this knowledge as a continuing resource in developing plans.

Having identified the actors, planners may proceed to array the options open to each group, attaching to each option the expected impact on the system and the utility of that impact. Although this step is described in a single sentence, it incorporates the most difficult phase of the analysis, a phase on which all available data must be brought to bear. In major planning efforts, small-scale experiments or other forms of data collection are wholly appropriate for improving the planner's ability to project the results of alternative strategies.

No matter how well-informed a projection, it carries with it an inherent possibility of error. It is incumbent on the planning unit to be aware of the possibility of error, to attempt to assess the extent to which information may be erroneous, and to take steps to minimize the impact of such error on the successful implementation of the plan.

It is not sufficient to conclude the study with the identification of preferred strategies, since these strategies may very well remain unadopted if supported only by abstract research. As the Los Angeles Unit found, concrete implementation plans, and even project-supported pilot installations, for the strategies are required. As

part of its demonstration that the plans it develops can and should be implemented, the court resource unit should have been able to produce evidence sufficient to convince relevant decision-makers to adopt the plan, and also sufficient to identify the exact steps these decision-makers must take to bring about the implementation of the strategy.

Finally, as program planners recognize, the work is not over once a program is in place. There is a continuing cycle of evaluation and replanning which leads to refinement and improved structuring of project efforts. The ultimately successful autonomous project is one which is qualified to carry on this phase internally with its own data collection and analysis capabilities.

The planning cycle described here is, of course, a theoretical ideal. As the Los Angeles Unit has found, traditional planning concepts often fail to accommodate the practical realities imposed by current court administrative practices. Hence, the problem oriented project planning strategy adopted by the Los Angeles Unit represents an effective and more pragmatic response to immediate needs for court improvement. In Los Angeles and similar communities, such a strategy may, in fact, be the catalyst which promotes more interjurisdictional cooperation and a greater sensitivity to the costs and benefits of long range system-wide planning.

### **3.2 Administrative Location of the Planning Unit**

A critical variable which will obviously affect the nature of activities undertaken by a planning unit, is the administrative location of the planning authority. The Los Angeles Municipal Court Planning and Research Unit is formally attached to the Municipal Court serving the Los Angeles district. The Unit is responsible for serving all 24 of the Municipal Courts in the county, however, and is partially under the supervision of the chairman of the County Municipal Court Judges Association as well as the Presiding Judge of the Los Angeles District Court. This arrangement, discussed above, stems primarily from the lack of a formal authority structure linking the Los Angeles County Municipal Courts.

Three potential areas for locating a planning unit suggest themselves: (1) in the judiciary, (2) in the executive branch (particularly in the SPA organization), and (3) in an intermediary unit which shares membership from both branches but also has delegated to it some independent authority in the area of planning. Different states can be expected to select widely different administrative arrangements for establishing planning units depending on the specific conditions and institutional structures in the state.

Court-based planning units can be affiliated with either a presiding judge or a court administrator. In the latter case the unit would still be responsible to the relevant judge, but indirectly rather than directly. A number of states have judicial planners located in the judiciary, typically in the administrative office of the court. The degree to which these planners have control over the review of court project applications and the disbursement of SPA funds varies. The location of a judicial planner in the executive branch is a more traditional form of organization, where courts specialists within State Planning Agencies have typically assumed the role of planner in conjunction with their other duties. Finally, the legislatively created California Judicial Planning Committee could provide a model of the third form of quasi-independent planning location. At present, however, although the council has been legislatively delegated authority to review SPA court-related projects, its power is only advisory.

Which of the three administrative locations is best for the efficient operation of a planning and research unit is likely to vary substantially among the individual states depending on the states' specific organizational and political circumstances--institutional structures, channels of authority; the existence of strong or weak Supreme Courts, judicial councils or regional authorities; traditions of cooperation or competition among governmental branches; size of the state, volume and distribution of court business, or attitudes and preferences of judicial officials. Two factors are of primary importance in considering the most effective location for a planning and research unit: (1) the availability of centralized authority to make rules and regulations which are binding; and (2) control of funding to the subsidiary units over which rule making authority is exercised.<sup>20</sup> If both of these powers are lacking in the authority to which the unit is attached it is very difficult to engage in productive planning activities, since the planner and his associated authority can only make recommendations to autonomous court units. Again, in state or substate areas with

strong traditions of local court autonomy, the planner's role is likely to be limited to research and project management rather than the development of plans for long-range systemic change.

An additional issue which should be noted in this context is the quality of the relationship between the relevant authority and the planning unit. Even if a judicial planning unit is attached to an authority with both budget control and binding rule-making authority, there is no guarantee that the unit will have a major impact on the system. The authority must also be interested in planning and court improvement and must agree with the proposals and activities of the planning unit. Care on the part of the unit in providing responsive service and maintaining its credibility is critical for the implementation of reforms proposed by the unit. Similarly, a unit may be affiliated with an authority which is highly limited in formal power due to a highly decentralized system, and yet still have a major impact by assisting the authority in persuading other members of the system to enact reforms. This latter situation is illustrated by the conditions under which the Los Angeles PRU operates. Even though central authority over the 24 county courts is lacking, the Presiding Judge of the Los Angeles District, and leaders in the county Municipal Court Judges Association have been able to persuade authorities in the courts to enact reforms. Substantial skill and sensitivity both in research and in interpersonal contact are clearly required to maintain credibility and effectiveness in such a decentralized environment.

As the Los Angeles experience has illustrated, without a system which offers central control, a planning and research unit is likely to perform a wide variety of tasks for its jurisdictional authorities. These might include (1) descriptive studies, in which the unit is asked to simply describe the state of affairs of a given portion of the system, or activities related to it; (2) prescriptive studies, in which the unit is asked to both study the topic and make recommendations for changes in the problem area; (3) information dissemination to system personnel or the public; (4) implementation activities, in which the unit is requested to develop a specific project and perhaps implement the project or request others to implement it; and (5) evaluation, in which the planning and research unit is requested to evaluate an ongoing project which they or some other agency has developed and implemented.

The specific tasks will of course vary depending on the initial design and goals of the planning and research unit, its location in the administrative structure, its proximity to an authority who supports the unit and is interested in research and planning activities, and its degree of control over the budgeting and grant review process. Regardless of its scope and affiliation, however, all of a planning and research unit's activities will be geared toward serving the needs of its client courts. Once these needs are identified, ample guidance is available to assist the planner in devising appropriate solutions.

Included in the Appendix is a brief review of a range of court improvement projects implemented in Los Angeles and other jurisdictions, and recommended by both the National Advisory Commission on Criminal Justice Standards and Goals and the American Bar Association's Project on Standards for the Administration of Criminal Justice. Clearly, "So much has been done in identifying deficiencies and possible improvement programs that the court system is now ready to undertake ambitious steps to improve its role in the administration of criminal justice."<sup>21</sup>

## **APPENDICES**

**APPENDIX A: ABA and National Advisory Commission Recommendations**

**APPENDIX B: Examples of Current Court Improvement Programs**



## **APPENDIX A: ABA and National Advisory Commission Recommendations**

The courts of the United States have been intensively evaluated during the past decade, and a substantial consensus regarding specific improvement needs is emerging. National studies of the court system in recent years include the investigations of the National Advisory Commission on Criminal Justice Standards and Goals sponsored by the Law Enforcement Assistance Administration, the American Bar Association's Project on Standards for the Administration of Criminal Justice, the President's Commission on Law Enforcement and Administration of Justice, and the American Bar Foundation's Survey of the Administration of Criminal Justice. In addition, numerous statewide studies have been conducted, many in response to ABA and LEAA calls for the development of state judicial system standards and goals (e.g., the California Judicial Process Taskforce study). Single courts have also commissioned intensive studies of their operations and requested detailed recommendations for improving their functioning. Since statewide and local court studies usually rely on the standards developed by the American Bar Association and the National Advisory Commission to support their recommendations for change, this appendix provides a brief survey of these recommendations as an emerging blueprint for court reform.

### **The National Advisory Commission**

The Administrator of the Law Enforcement Assistance Administration appointed the National Advisory Commission on Criminal Justice Standards and Goals in October, 1971. The Commission was charged with the task of formulating national standards and goals for crime reduction at the state and local levels. Russell W. Peterson, Chairman of the Commission, outlined the Commission's objectives as follows: "Other recent Commissions have studied the causes and debilitating effects of crime in our society. We have sought to expand their work and build upon it by developing a clear statement of priori-

ties, goals, and standards to help set a national strategy to reduce crime through the timely and equitable administration of justice, the protection of life, liberty and property; and the efficient mobilization of resources."<sup>22</sup> Six reports were produced by the commission and released in 1973. One (*A National Strategy to Reduce Crime*) provided an overview of the commission's work and recommendations, while the remaining five addressed the following substantive areas: *Systemwide Recommendations* (particularly for information systems), *Courts, Police, Corrections, and Community Crime Prevention*. Over 400 standards were provided by the Commission, and states were urged to consider the NAC standards carefully and were required by LEAA to develop and incorporate "goals, priorities, and standards" of their own choosing into their comprehensive state plans.

In regard to the process of developing statewide goals, LEAA Administrator Santarelli stated in early 1974, "We expect that each State will review the Standards and Goals of the National Advisory Commission as well as those of the American Bar Association and other appropriate material in order to determine if these standards and recommendations are appropriate and necessary for their system of criminal justice. They should serve as guidelines and as a basis for discussion in the development of a comprehensive set of State standards and goals." He added, "The process of establishing standards, of necessity, will have a major impact on long range planning. Standards can provide the basis for legislation and for private and public action to improve State and local criminal justice."<sup>23</sup>

The National Advisory Commission's Task Force on Courts was chaired by Daniel J. Meador. The task force activities resulted in the development of 93 standards for the courts. Six additional court related standards were developed by the task force on information systems and statistics chaired by John R. Plants. These standards dealt with calendar and court information and management systems and in combination with the courts task force standards result in 99 NAC standards directly targeted at the courts. The specific NAC recommendations will be described below.

### **The American Bar Association Project**

The American Bar Association Project on Standards for the Administration of Criminal Justice was begun in 1964. The final report

compiling all of the ABA's standards was published a decade later. A total of seventeen volumes was produced by the project covering a wide range of topics (e.g., pretrial release, pleas of guilty, trial by jury, probation, etc.). Chief Justice Warren Burger has characterized the American Bar Association project as "...the single most comprehensive - indeed the most monumental - ever undertaken by the American legal profession in its 200 year history..."<sup>24</sup> The ABA project was designed to "promulgate suggested guidelines to assist the fifty states and federal jurisdictions in overhauling, updating, simplifying, and strengthening their criminal justice systems, with these objectives: (1) to promote effective law enforcement and the adequate protection of the public; and (2) to safeguard and amplify the constitutional rights of those suspected of crime."<sup>25</sup>

Since the goals of both of the major standards and goals projects were roughly comparable, LEAA funded a study in 1973 to assess the similarities and differences between the ABA and the National Advisory Commission recommendations. The comparative study was valuable due to the complementary nature of the two commissions and also as a means of avoiding competition among proponents of the two commissions. The ABA had already established a Committee on Implementation of Standards for the Administration of Criminal Justice in 1969 under the leadership of former Supreme Court Justice Thomas Clark. The comparative study was viewed as providing an impetus for a coordinated attempt to implement the comparable recommendations and to spur debate on the conflicting recommendations.<sup>26</sup>

More recently the ABA has developed an additional project to produce standards on judicial administration. Standards developed by this project are also relevant to those of the NAC, and will be discussed below.

### **Combined NAC and ABA Recommendations**

Table 1 presents an outline of major recommendations for court reform stemming from the two National Advisory Commission task-force reports, and the ABA standards and goals project. Since the NAC had produced fewer court-related standards and only overlapping standards were of interest, the NAC recommendations were used as the starting point for the development of the outline. Table 1 is designed to serve as a tentative blueprint for

court reform. Standards were selected for inclusion based on the following procedure: (1) the NAC standards were examined and only those which dealt with improvements that a "planning and research" unit might be interested in implementing or working towards were included. Due to this criterion a number of areas tangential to the interests or area of authority of a court based "planning and research" unit were omitted. These specifically deal with the prosecution, the defense, juvenile courts, and mass disorders, and resulted in the elimination of 36 of the 99 NAC standards. (2) For the remaining 63 "relevant" NAC standards, those for which comparable ABA Standards were not available were not included. The latter category includes six standards for which the ABA recommendation is inconsistent with the NAC recommendation, and nine for which the ABA is silent on the topic of the NAC recommendation.<sup>27</sup> The six inconsistent ABA standards deal only with aspects of two topics on which the commissions otherwise agree (plea negotiation and appellate review). The nine standards for which the ABA is silent deal with a variety of issues, many of them of peripheral importance. Thus, 48 of the 63 relevant NAC standards meet the criterion of having a comparable and consistent ABA standard and form the basis for a blueprint for court reform.

Three basic categories of recommendations are presented in Table 1: (1) overall management and coordination improvements; (2) improvements for specific functional areas; and (3) improvements of human and physical resources. The most sweeping recommendations for improving management involve suggestions for the development of a state court administrator (9.1), administrative powers for the presiding judge of the court (9.2), and the institution of full time local trial court administrators for all trial courts with five or more judges (9.3).

The Standards list the proposed duties of each of the administrators. For example, the local court administrators are stated to have 12 primary functions, such as budgeting, personnel hiring, and monitoring, records, fiscal and jury management, etc. In addition to recommending the establishment of administrators, the Commission also made specific suggestions regarding calendar management, modifications in procedural rules, etc. Recommendations generally were aimed at simplifying procedures, eliminating unnecessary rules, delays, etc. and increasing the overall efficiency of the use of human and physical resources.

**Table 1: Recommendations for Court Improvements Derived from the National Advisory Commission and the American Bar Association Standards and Goals**

- I. Recommendations to Improve Overall Management and Coordination**
- A. Developing administrative capabilities
    - 1. court administrators (9.1,ABA2), (9.2,ABA2), (9.3,ABA2), Pres.
  - B. Specific management improvements
    - 1. Case management (9.4,ABA1), (11.1,ABA2), Pres.
      - a. calendar management (4.1,ABA1), (4.11,ABA1), (5.2\*, ABA2)
      - b. procedural rules (4.10,ABA1), (4.12,ABA1)
    - 2. Personnel management ) (9.1,ABA2), (9.2,ABA2),
    - 3. Fiscal management ) (9.3,ABA2)
    - 4. Records management )
    - 5. Information systems
      - a. management information (11.1,ABA2), (5.3\*,ABA2), Pres.
      - b. case specific information (5.4\*,5.1\*,5.6\*ABA2)
  - C. Research - Planning
    - 1. Research on specific problem areas (5.5\*,ABA2)
    - 2. Planning re: reorganization, law changes (8.1,ABA1), (8.2,ABA1)
- II. Recommendations to Improve Functional Areas**
- A. Pre-trial recommendations
    - 1. Arraignment reforms (4.5,ABA1)
    - 2. Warrants and citations (4.2,ABA1), Pres.
    - 3. Bail reform (4.6,ABA1), (4.7,ABA1), Pres.
    - 4. Diversion (2.1,ABA1), (2.2,ABA1)
    - 5. Plea negotiations (3.2,3.3,3.5,3.6,all ABA1), Pres.
    - 6. Grand jury functioning (4.4,ABA1)
    - 7. Discovery procedures (4.9,ABA1), Pres.

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\*NOTE: Numbers refer to corresponding NAC standards; numbers with an asterisk refer to the Information Systems Task Force while all others refer to the Courts Task Force.

ABA1 = Commission on the Administration of Criminal Justice

ABA2 = Commission on the Standards of Judicial Administration<sup>28</sup>

(Often numerous ABA standards correspond to an individual NAC standard. The linkage between the ABA1 standards and the NAC Standards is provided in the comparative analysis study cited in the text.)

PRES = President's Commission on Law Enforcement and the Administration of Justice.

Table 1 Continued

- B. Trial recommendations
  - 1. Jury selection and use (4.13, ABA1), (4.14,ABA1), Pres.
  - 2. Trial procedures (4.15,ABA1)
- C. Post-trial recommendations
  - 1. Sentencing (5.1,ABA1), Pres.
  - 2. Appellate Review (6.4 to 6.9,ABA1), Pres.

III. Recommendations to Improve Human and Physical Resources

- A. Improving personnel
  - 1. Training (7.5,ABA2), Pres.
  - 2. Selection (7.1,ABA2), Pres.
  - 3. Policies (7.2,ABA1), (7.3,ABA2), (7.4,ABA1)
- B. Improving facilities and equipment (10.1,ABA1), (10.2,ABA1), Pres.
- C. Public assistance and information (10.4,ABA2), (10.7,ABA1)

NAC Standards Omitted

- 1. Topics not relevant to court planning and research units:  
prosecution 12.1 to 12.9, 1.1, 1.2  
defense 13.1-13.16  
juvenile courts 14.1 to 14.5  
mass disorders 15.1 to 15.4
- 2. Standards for which no comparable ABA standard exists:  
3.4 time limit on plea negotiations  
4.3 procedure in misdemeanor prosecutions  
4.8 preliminary hearing and arraignment  
9.5 coordinating councils  
9.6 public input into court administration  
10.3 court public information and service facilities  
10.5 participation in criminal justice planning  
10.6 production of witnesses  
11.2 automated legal research
- 3. Standards for which ABA and NAC recommendations are inconsistent:  
3.1 abolition of plea negotiation  
3.7 acceptability of a negotiated guilty plea  
3.8 effect of the method of disposition on sentencing  
6.1 unified review proceeding  
6.2 professional staff (for review of trial proceedings)  
6.3 flexible review procedures

Section 2 of Table 1 includes recommendations to improve the operation of specific functional activities of the courts, including pretrial, trial, and post trial functioning. The recommendations vary in the steps required to implement them. Some simply involve modifications in the rules of the court which can be made by the court's presiding judge in some jurisdictions (e.g., modifying arraignment timing and procedures). Other recommendations require the development of resource agencies such as in the case of the diversion programs recommended. Still other recommendations require more fundamental reforms which may be achieved only through legislative activity or constitutional modifications (e.g., regarding appellate review). Many programs have been developed with LEAA funds in recent years to improve the functioning of the various stages of case processing. Some of these programs will be discussed in detail in the following section of this appendix.

Section 3 of Table 1 discusses recommendations to improve human and physical resources for the courts. Considerable attention has been paid to the need for training programs for court personnel as well as the need for improved techniques of selection of personnel. Physical facilities have also been assessed and found wanting in a great many court systems. Specific recommendations regarding facilities include the provision of adequate, comfortable space, nearby detention facilities, increased availability of library resources, adequate and separate defense and prosecution waiting rooms, jury facilities, lawyers' workrooms and conference rooms, etc. Furthermore, information and service facilities for the public within the courthouse are also recommended to assist the public in its interactions with the court and to facilitate the business of the court.

### **A Sampling of Additional Recommendations**

Numerous additional studies of the court system have been conducted in recent years. Studies have varied in scope from nationwide, to state, to local. An example of each will be provided here to illustrate recommendations other than those of the ABA and the NAC.

National. The President's Commission on Law Enforcement and Administration of Justice provided a comprehensive overview and critique of the justice system. The commission was chaired by Nicholas Katzenbach and produced an overall commission report, *The Challenge of Crime in a Free Society*, and nine taskforce reports covering a wide range of topic areas (police, courts, corrections, juvenile delinquency, organized crime, science and technology, crime assessment, narcotics, and drunkenness). The courts taskforce provided 36 specific recommendations for improvements in the functioning of the courts and these recommendations tend to be highly consistent with those of the ABA and NAC discussed above. In Table 1, areas in which the President's Commission provides recommendations are noted.

State. The states have been very active in assessing their court systems and attempting to evaluate prospective standards and goals relevant to their needs. With regard to the ABA Standards and Goals, the Committee on Implementation of Standards for the Administration of Criminal Justice of the ABA has initiated efforts in the states to perform a comparative analysis or inventory which shows exactly where each state is by comparing each ABA standard with the existing state statutes, court rules, case law, and practice.<sup>29</sup> All of the states have initiated this form of study of the ABA standards. Many states which have completed their comparative analyses have also undertaken the next essential step of holding educational conferences, seminars, and workshops to acquaint both lawyer and the judiciary with the practical application of the standards. A number of states where the courts have rule-making power have substantially implemented the standards by this route. The ABA has noted that the task of study and implementation is far from complete, especially where changes require extensive legislative or constitutional modification. The ABA does feel that the effort to implement the standards has resulted in the development of a "vast body of 'know how'....; a nationwide network of experts in the substance of what needs to be done and the mechanics of accomplishment."<sup>30</sup>

LEAA has also encouraged state efforts to develop standards and goals for their criminal justice systems. The Omnibus Crime Control and Safe Streets Act of 1968 as amended by the Crime Control Act of 1973 now requires that each state comprehensive plan must establish "goals, priorities, and standards" for crime prevention and reduction in that state. To meet statutory requirements to obtain funds under the Safe Streets Act, each state must

have a comprehensive set of standards and goals that can serve as a basis for planning and as a guide to funding by fiscal year 1976. As was mentioned above, past LEAA Administrator Santarelli urged the states to review the NAC and ABA standards and goals and other appropriate materials and then develop standards they felt were most relevant to their particular situation. He specifically pointed out that the states were not in any way bound to adopt the specific recommendations of any specific commission, but should of course be familiar with the work that has been done to date on standards and goals to fully inform their deliberations.<sup>31</sup>

The California Judicial Process Taskforce Report is an example of a state effort to develop an assessment of problems in its courts system.<sup>32</sup> The California Council on Criminal Justice funded the study and the members of the taskforce attempted to take a systems approach to the evaluation of problems in the courts. A sub-committee consisting of an appellate court justice, a trial court judge, a prosecutor, a public defender, a representative of the Judicial Council and a representative of the executive branch developed a comprehensive outline of the courts' problems. A flow diagram illustrating the steps of processing cases was developed and over 300 problems associated with system functioning were identified and ranked according to the severity of the problems, frequency of occurrence, and cost of solution. The taskforce then attempted to develop a comprehensive list of possible solutions to the problems which had been identified. The study resulted in a list of 108 potential solutions. The solutions were ranked based upon a variety of criteria including the estimated impact each solution might have on its problem, importance of the problem, cost, likelihood of implementation, and distribution of the solutions over a wide range of problem areas.

Local. Numerous local studies have also been conducted for specific courts or court systems. These studies often rely on the guidelines established by the major commissions. For example, the municipal court of Dorchester, Massachusetts, funded a study to assess its problems and potential improvements. A detailed series of recommendations for improving the court was provided by the researchers and the suggestions were supported by numerous citations to the NAC and ABA standards.

In summary, the two major recent commissions to study court reform have arrived at very similar conclusions regarding the needs of the court system. Many state efforts have taken the commission's work a step further by reconciling the commission recommendations with circumstances existing in the specific states such as existing state needs, statutes, court rules, case law, constitutional provisions, and customs. As an example of further efforts, the California taskforce also developed extensive solutions coordinated with the assessment of needs and prioritized the solutions in terms of relevant factors (e.g., impact and importance, cost, likelihood of implementation, etc.). This fine grained analysis and development of implementation strategies is of course essential at the state level due to the wide range of highly specific factors which must necessarily influence the application of commission produced standards and goals to any given state. The revenue sharing structure of LEAA is conducive to this sort of state-based effort particularly in light of recent initiatives by LEAA to develop judicial planning units in individual states (see Chapter 1).

## **APPENDIX B: Examples of Current Court Improvement Programs**

This Appendix describes many specific programs initiated by the Los Angeles PRU. Also included are references to other sources of information on various court improvement programs.

### **Programs of the Los Angeles PRU -- A Case Study**

The Los Angeles Municipal Court Planning and Research Unit has conducted a wide range of projects during its over two years of existence. As the previous chapter has noted, these projects vary widely in terms of the product desired and topic addressed. It is therefore somewhat difficult to categorize the types of tasks performed by the PRU. Five basic categories of PRU activities are suggested, including tasks (1) to study a phenomenon and develop a report describing it; (2) to study and make a recommendation regarding changing or improving the subject of study; (3) to disseminate information to judges, the public, etc.; (4) to develop and implement a project (or assist in development and implementation); and (5) to evaluate a project which has been implemented by the PRU or others.

These five basic activities can, of course, be applied to any of the substantive reform activities suggested in Appendix A. For example, with regard to bail, (1) the current state of bail activity can be studied and statistically described, (2) the study can go a step further and recommend modifications in the current bail procedures, (3) information on bail activity can be transmitted to relevant audiences, (4) projects modifying bail procedures can be developed and implemented, and finally (5) the projects can be evaluated for their impact.

**Table 2: Los Angeles Planning and Research Unit Projects by Type  
(through 12/15/74)**

<p>I. Management and Coordination</p> <ul style="list-style-type: none"> <li>A. Studies of agencies and organizations           <ul style="list-style-type: none"> <li>1. court commissioner report</li> <li>2. law and justice agency</li> <li>3. statewide judge organization</li> <li>4. advisory commission on judiciary</li> <li>5. analysis of judge organizations</li> </ul> </li> <li>B. Studies of reorganization           <ul style="list-style-type: none"> <li>1. trial court reorganization</li> <li>2. legislative report (relevant)</li> </ul> </li> <li>C. Specific management reforms           <ul style="list-style-type: none"> <li>1. standardized forms</li> <li>2. weighted caseload study</li> <li>3. municipal court venue</li> </ul> </li> <li>D. Miscellaneous legal studies with management implications           <ul style="list-style-type: none"> <li>1. reclassification of misdemeanors to infractions</li> <li>2. penal code revision</li> <li>3. claims and delivery law</li> </ul> </li> <li>E. Information Systems           <ul style="list-style-type: none"> <li>1. automated civil and criminal case following</li> </ul> </li> </ul>	<p>2. Public information work</p> <ul style="list-style-type: none"> <li>a. small claims questionnaire</li> <li>b. small claims brochure</li> <li>c. legislative report</li> </ul> <p>II. Functional Areas</p> <ul style="list-style-type: none"> <li>A. Pre-trial Programs           <ul style="list-style-type: none"> <li>1. Diversion               <ul style="list-style-type: none"> <li>a. detox project</li> <li>b. drug user diversion</li> <li>c. diversion of the mentally ill</li> <li>d. civil commitment of addicts</li> </ul> </li> <li>2. Arraignment               <ul style="list-style-type: none"> <li>a. centralized arraignment</li> <li>b. clerk arraignment</li> </ul> </li> <li>3. Warrants               <ul style="list-style-type: none"> <li>a. telephonic warrants</li> <li>b. warrant recall</li> <li>c. warrant dispositions</li> </ul> </li> <li>4. Bail by Mail</li> </ul> </li> <li>B. Trial Programs           <ul style="list-style-type: none"> <li>1. Trial by declaration</li> </ul> </li> <li>C. Post Trial Programs           <ul style="list-style-type: none"> <li>1. Probation and sentencing subsystems</li> <li>2. Probation performance evaluation</li> </ul> </li> </ul> <p>III. Human and Physical Resources</p> <ul style="list-style-type: none"> <li>A. Study of intoxication tests</li> <li>B. Professional traffic school</li> </ul>
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Table 2 provides an overview of the distribution of the Los Angeles PRU's activities in relation to the recommendations for change emerging from the national commissions. Table 2 is not intended to suggest that the PRU's activities should necessarily span the breadth of the commission recommendations as the specific needs of different jurisdictions vary enormously as does the feasibility of implementing specific projects. With these caveats in mind, it is still interesting to note that the PRU's activities do span a wide range of those substantive areas recommended by the commissions for attention.

For example, in the area of pretrial reform, the planning and research unit has implemented three projects, the detoxification project to divert defendants, clerk arraignment to expedite the arraignment process, and the telephonic warrant project to increase the efficiency of serving warrants. In addition, eight studies of various pretrial functions have been performed by the PRU. Three involved diversion, including the diversion of drug users and the mentally ill. One involved a study of centralized arraignment procedures. Three were studies of warrant related activities, and one involved an assessment of potential conflicts of interest in the appointment of attorneys.

#### **Details of Selected Activities**

Table 2 indicates the breadth of the topics covered and methodologies used by the Los Angeles Planning and Research Unit. A detailed description of a number of the specific projects is presented below to enable the reader to envision more readily the scope of PRU activities.

The Bail by Mail Project. In many jurisdictions across the country, traffic law violators can plead guilty and pay their fines entirely by mail. This mechanism is virtually always available for parking offenses and frequently for moving violations as well. In Los Angeles, until the Planning and Research Unit instigated a change in September, 1974, every driver receiving a ticket for a moving violation was required to come to the courthouse for case processing. This generally involved paying a fine by posting bond in the amount of the appropriate fine and then forfeiting it. Since, annually, about 70 percent of the 800,000 drivers charged with moving violations forfeited bail for their offenses, some

560,000 trips per year were being made to the courthouse solely to pay *de facto* fines. To deal with this army of ticketed drivers, court clerks were required to answer an enormous number of telephone inquiries and to cope with long lines of fine-payers.

The obvious flood of traffic offenders into the courthouse every day led Central Los Angeles court officials to ask the PRU to investigate alternative ways of dealing with these offenders. PRU planners checked the law and found no obstacle to mailing in bail in most moving violation cases. The PRU then designed the "Bail by Mail" system to operate as follows.

- Records of all traffic citations are keypunched according to a PRU developed format and compiled into a computer based file shortly after they are issued. A simple program compares the citations to the drivers' prior offense records (already on a computer readable file), weeding out those with three or more offenses within the previous 12 months, who are required by law to appear in court.
- About two weeks after issuance of a citation, a computer program generates a "courtesy notice" to most defendants advising them of their right to post bail by mail and specifying the amount of this bail, calculated by reference to the offense and the driver's prior record. The notices are accompanied by return envelopes addressed to the court. Drivers with three prior offenses, juveniles, those charged with more serious offenses (e.g., drunken or reckless driving, or hit and run), and those charged with mechanical violations or driving without a license who must appear in court to show that they have corrected the defect do not receive notices and must appear in court in the usual way.
- When drivers' bail money is received, the computer file is updated to show that they have discharged their obligations.
- Drivers who wish to contest their citations come to the courthouse and proceed in the same way as they would have before the program began.
- Drivers who do not respond by paying or contesting are listed by computer printout and warrants are issued to them.

The system design was presented to all of the relevant parties in the court system and then implemented under the direction of a PRU planner. Detailed studies have been conducted to assess the impact of the bail by mail project and the PRU has concluded that the benefits of bail by mail to the criminal justice system can be summarized as follows:

- Traffic offenders are no longer required to make time consuming and wasteful trips to the courthouse;
- The number of court appearances to contest tickets has declined substantially;
- Gross court revenues have increased.

The PRU estimates the net impact of all these changes, including the cost of producing and mailing the notices to drivers, to be a net annual increase in revenue of over \$700,000. In addition, as the City Attorney had predicted, no longer do people have to "take time off from their jobs, hire babysitters, drive several miles to the courthouse, wasting gas and polluting the air, and stand in line to pay a simple traffic ticket." The unit is actively involved in efforts to implement the bail by mail program on a county wide and even a statewide basis. Legislation has been introduced by a state senator encouraging counties to adopt a system similar to that used in Los Angeles.

The Weighted Caseload Study. Budgeting and personnel planning for courts, particularly court systems in which each district is a relatively small but discrete administrative entity, demand some method for predicting in advance where judges, additional personnel and other resources will be needed. Assuming no significant changes in court procedures or jurisdiction, this means predicting caseload. Since not all types of cases and legal proceedings place equal time demands on the courts, accurate workload predictions require both projecting the number of cases or proceedings in each of several significantly different categories and then calculating a workload index "weighted" by the different resource demands the different kinds of cases will place on the courts.

\* In California, the Judicial Council, which is concerned with court administration statewide, commissioned weighted caseload studies in 1971 and 1973 to determine how many judges would be required in

each Municipal Court. The studies were conducted by a consulting firm and were summarized by the PRU at the request of the Municipal Court Presiding Judges Committee of the Conference of California Judges.

Analysis of Court Reorganization Legislation. As in many other jurisdictions, reorganization (frequently unification) of the state court system is a perennial legislative issue in California. The ABA Commission on Standards of Judicial Administration strongly recommends the creation of centralized administration for state court systems. Related recommendations call for uniform jurisdictional standards for courts in the system, statewide rules and procedures, and a limiting of the number of different types of courts existing in the system. In California, these general recommendations were reinforced by the recommendations in a report prepared by the consulting firm of Booz, Allen and Hamilton. The firm studied the California courts and proposed the merger of all trial courts in the state, including all the Municipal Courts, into a single administrative entity with a centralized administration.

As a service to the courts, the Planning and Research Unit assembled and organized materials on the topic of court restructuring. As court reorganization legislation was filed the PRU developed an 18 point system for comparing and assessing the varying features of the proposals with each other and with the Booz, Allen study.

Detoxification (647ff P.C.). Examined existing programs, provided essential legal analysis, and coordinated interagency efforts to establish the first Los Angeles County detoxification center designed to divert public inebriates from the criminal justice system. The center was established in October, 1974. It currently reduces the Los Angeles Municipal Court's arraignment caseload by 20%. The Unit is studying the feasibility and benefits of implementing this detoxification program county-wide.

PASS (probation and Sentencing Subsystem). Reviewed the status of summary probation information available to Municipal Courts in Los Angeles County; no system existed to enable a court in one district to determine whether a defendant before it is on summary probation in another district. Documented the information and access

requirements for an automated system and coordinated its implementation. Developed a grant proposal to secure funds to install video display terminals and printers to each judicial district. Presently coordinating the installation of the communication network and computer hardware with on-line access scheduled to begin in February, 1976.

Standardization of Municipal Court Forms. Studied the problems related to the lack of standardized municipal court forms in Los Angeles County. Prepared recommendations for the development of new procedures for the Judges' Association and Municipal Court Clerks' Association to encourage county-wide uniformity. Presently are assisting the courts in implementing those procedures.

Attorney Appointments. Conducted a county-wide study of court appointments made pursuant to P.C. 987.2 in conflict-of-interest situations. The report reviewed existing procedures and made recommendations for changes with the dual purpose of reducing costs and distributing appointments more equitably.

Legislative Report. Prepares and distributes a summary of significant, court-related legislation of interest to the Municipal Court Judges of Los Angeles County. The Report includes an analysis and the current status of each bill, and is issued every seven weeks throughout the legislative session.

Criminal Case Following System. The Planning Unit is participating with the Superior Court and County Clerk, in the development of an automated system to provide information on criminal cases from initial filing through disposition. Presently the project team is documenting the existing system, identifying operating costs and developing the new system requirements. The primary purpose of this activity is to complete a cost-benefit analysis of implementation of the system.

Expansion of Traffic Records System. The Planning Unit is participating in efforts to expand the on-line Traffic Record System used by the Los Angeles Judicial District, to enable it to serve the other 24 judicial districts in Los Angeles County. The project team has documented the project requirements which include numerous improvements to the existing system and has defined the implementation

and operating costs. A detailed system design is being created with a scheduled completion date of July, 1976.

Misdemeanor Complaint Processing. The Planning Unit is examining a series of problems relating to the filing and processing of misdemeanor complaints. In particular, situations where complaints are filed in multiple defendant cases and where complaints are filed within a short period of time in single defendant cases. Problems addressed include clerical overload and inefficiency, scheduling of unnecessary trials and inconvenience to the defendants.

Civil Addict Commitments. Assisted in an examination of the feasibility of reinstituting civil addict commitments which have been suspended in Los Angeles County since 1971. Prepared memoranda summarizing interagency meetings on civil commitments and discussing recent legal developments affecting any future program. Monitors continuing efforts to re-establish a civil commitment program and will report significant events to the Municipal Courts.

Community Service Sentencing. Assisted the Los Angeles County Probation Department in the establishment of a community service sentencing program which allows selected misdemeanants to perform community service in lieu of fines or imprisonment. Attended conferences, distributed program materials to judges and arranged liaison with County Counsel. Will participate in the evaluation of the program and explore possibilities for its expansion.

Monitor Rand Corporation Studies. Summarized Rand Corporation study proposal on criminal justice performance measures. Maintain contact with Rand Corporation representatives and report on the progress of their study. Will analyze final report for possible application in Los Angeles County.

Municipal Court Referrals. Gathered information on the process by which municipal courts make referrals to drug and alcohol treatment programs, traffic schools and driving-under-the-influence (DUI) schools. Will monitor and report on efforts of the Department of Motor Vehicles to develop certification standards for traffic and DUI schools pursuant to the requirements of recent legislation.

Sundance vs. Municipal Court. Assists the Office of the County Counsel and the City Attorney in preparing documents for use in the case of Robert Sundance, et.al. vs. Municipal Court of Los Angeles Judicial District, et. al. The Sundance case questions the legality of processing public drunks through the criminal justice system. Supplied the County Counsel with specific information on the processing of public inebriates through the criminal justice system. Drafted responses to interrogatories directed to the Los Angeles Municipal Court.

Informal Traffic Trial Project. The Planning Unit assisted in implementing and reports the results of the informal traffic trial project conducted by the Los Angeles Municipal Court. The procedure allows defendants to proceed to trial immediately after their arraignment without the presence of the prosecutor or the arresting officer. A monthly report is issued analyzing the disposition rate of the trials conducted.

Compton LEAA Project. Assisted the Criminal Justice Coordinating Council of the Compton Judicial District in drafting a grant proposal to establish a special education program for young women on probation. Attend meetings of the Council and will assist with other grant proposals as the need arises.

Mental Commitment Coordination. Assisted the Mental Health and Criminal Justice Committee in drafting a new form to be used for courts for making orders under P.C. Section 4011.6. Distributed the new form to all municipal court judges. Participate in the monthly interagency discussions on mental commitment problems and procedures held by the Committee.

Municipal Court Clerks' Procedures Manual. Gathered information on accounting practices in several judicial districts and drafted a suggested questionnaire which was forwarded to the Auditor-Controller to assist in the development of a manual of specific accounting and bookkeeping procedures to guide the clerks. Drafted and sent a questionnaire to each judicial district requesting information on which procedures manuals are being used. Intend to tabulate the results of the questionnaire and compile a reference manual which will summarize the information available in the existing manuals used by the clerks in Los Angeles County.

Mentally Disordered Offenders Information Package. Participated on a committee established to assess and prioritize funding proposals for treatment programs for mentally disordered offenders. These proposals were submitted to the Legislature in response to its stated intent to fund a variety of mental health services for disturbed offenders. The Unit also prepared an extensive memorandum on this activity to inform the Municipal Court judges of its possible impact on the criminal justice system.

P.C. 1000. Researched the effectiveness of the experimental statute which provided for the diversion of certain limited categories of narcotics offenders. Reviewed all existing studies of the statute in operation. Coordinated a conference with participants from the judiciary, private bar, probation and treatment programs to discuss problems that have arisen in the statute's application.

Judicial Organizations. Responded to a request from the Municipal Court Judges' Committee of the Conference of California Judges to study the organizational structure of the Conference of California Judges and the Municipal Court Judges' Association and to describe existing organizations created to serve the judiciary. The research culminated in a memorandum to the Committee which discussed the statutory authority for the creation of the Conference of California Judges.

Claim and Delivery. Assisted in the preparation of materials analyzing new laws relating to Claim and Delivery. The materials included summaries of procedures under the new and existing laws and checklists prepared for use by the judges in applying the new law.

Traffic Court. Responded to a request from several judges that the Unit assist state legislators in the introduction of legislation to improve traffic court procedures. Drafted several bills and conducted supporting research. Three of the seven traffic bills which were introduced as a result of this work have been signed into law. The Unit continues to monitor the progress of the remaining bills.

Public Inebriate Task Force. Participated in the Public Inebriate Task Force. A staff member prepared materials on the number of public inebriate filings and the cost of processing inebriates through the criminal justice system. The Task Force is studying the feasibility of implementing civil detoxification county-wide.

Memorandum on the Authority of Police to Arrest for a Violation of Probation. Prepared a memorandum on the authority of law enforcement officers to arrest an individual for a violation of formal or summary probation. The memo was distributed to all Municipal Court Judges.

Night Traffic Court. Assisted the Judicial Council in an analysis of the effectiveness of night traffic court. Surveyed defendants and observed operations to assist the Council in its evaluation. Reported the results to the Judicial Council.

Marshal Selection. Prepared the job application form and all other related forms and materials used by the Marshal's Committee of the Municipal Court Judges' Association in their effort to select a new Marshal for Los Angeles County. Prepared a memorandum for the Committee on legal and procedural issues relating to selection and a memorandum on equal employment requirements.

Small Claims Brochure. Prepared and distributed throughout the county a brochure describing how to use the small claims court. The brochure was translated into Spanish. Distributed another brochure on how to enforce a small claims judgement.

Court Commissioners. Prepared a report on the legal status and statutory limitations on the use of court commissioners in the Los Angeles County Municipal Courts. The report was used by the Assembly Judiciary Committee in its deliberations on possible legislation.

Telephonic Search Warrants. Investigated the possibility of expanding the use of telephonic search warrants under the procedures delineated in Sections 1526 and 1528 of the Penal Code. The project included contacts with law enforcement, the District Attorney's Office and concerned judges.

Professional Traffic School. Assisted in the establishment of a driving school designed for professional drivers (those who drive as an integral part of their occupations). Previously there existed no adequate referral program, and these drivers went to trial at a higher rate than others.

Courtroom Design. Researched and collected materials on modern courthouse and courtroom design at the request of the Compton Municipal Court.

Pre-Sentence Investigation Study. Reviewed pre-sentence investigation practices for second-conviction drunk drivers in ten California counties prior to developing several possible formats for use in the Los Angeles County Municipal Courts. Additionally, the Unit gathered information on costs and staffing patterns of Los Angeles County agencies performing investigation for the Municipal Courts.

Conflict-of-Interest Act. Prepared a memorandum on the Governmental Conflict-of-Interest-Act in response to numerous requests from Los Angeles Municipal Court Judges. The memo included a general interpretation of the Act, its application to judges, and the requirements for disclosure.

Disposition of Evidence. Reviewed procedures utilized by the Municipal Courts in the disposition of items received into evidence in criminal proceedings. Prepared a memorandum for the Presiding Judge of the Los Angeles Municipal Court which reviewed the statutory and case law governing the disposition of such items.

Court Interpreter Problems. Prepared a memorandum for the Presiding Judge of the Los Angeles Municipal Court on the assignment, recruitment, and training of interpreters in the Los Angeles court system. The memo summarized research into the developing case law concerning a criminal defendant's right to an accurate, neutral and simultaneous interpretation of the proceedings.

Juvenile Traffic Transfer. Examined a legislative proposal which would shift jurisdiction over juvenile traffic offenders from Superior to Municipal Court. The Unit evaluated the cost-benefits for the courts and assisted them in developing and expressing their position on the legislation.

Municipal Court Judges' Association Objectives. Drafted objectives for the Municipal Court Judges' Association at the request of the Chairman of the Association. The objectives encompassed performance of statutory duties, improvement of communications, and development of a continuing education program for the Municipal Court judiciary.

Municipal Court Judges' Association Rules Committee. Prepared a memorandum on legal and practical problems to be considered by the Rules Committee of the Municipal Court Judges' Association in their deliberations on (1) whether the Association should form an Executive Committee and (2) the adoption of a provision for voting by mail.

Closed Circuit Arraignments. Analyzed the legal and administrative feasibility of implementing a proposal to link prisoners at the Central Jail with judges in the outlying judicial districts via closed circuit television for the purpose of conducting arraignments. The proposal was designed to eliminate the transportation of prisoners from jail to the courts. Recommended that the project not be implemented due to numerous legal and administrative problems.

Criminal Arbitration. Reviewed two proposals by the National Center for Dispute Settlement and the American Arbitration Association, respectively, on the use of arbitration to dispose of certain criminal complaints such as neighborhood and husband and wife disputes. The proposal was compared with the existing mediation procedures used in the City Attorney's Office. The proposal would have resulted in a duplication of effort and was not adopted for implementation.

Centralized Arraignments. Examined the legality and administrative feasibility of conducting centralized felony arraignments. The study concluded that centralized arraignments were not feasible due to the significant additional administrative burdens they would impose.

Single Court Disposing of All Warrants. Explored the feasibility of one municipal court disposing of a defendant's outstanding arrest warrents when those arrest warrants have been issued by other courts. The Unit analyzed the legal and administrative

implications of the proposal and prepared a report for the Presiding Judge of the Los Angeles Municipal Court.

Warrant Recall. Examined the legal and administrative implications of developing a mechanism whereby old warrants could be recalled and removed from court records. Concluded that the existing procedure is satisfactory and reported this to the Presiding Judge of the Los Angeles Municipal Court.

Arraignment by Court Clerk. Explored the possibility of developing an experimental project to conduct arraignments of persons cited for traffic violations at the clerk's window instead of the court before a judicial officer. Concluded that the proposal was not legally or administratively feasible.

Small Claims Court Questionnaire. Tabulated and evaluated the results of the ABA Small Claims Court Questionnaire for the Subcommittee on Small Claims for the National Conference of Special Court Judges. This activity was part of an effort to develop a Model Small Claims Court Statute.

### **Other Sources of Information Regarding Court Improvement Projects**

Numerous projects have been conducted throughout the nation aimed at improving aspects of the functioning of the courts. The National Center for State Courts has compiled descriptions of many of these programs in a document titled: *Court Improvement Programs, A Guidebook for Planners.*<sup>33</sup> More recently LEAA commissioned a survey of criminal justice programs throughout the country which included a substantial proportion of courts programs. A summary of projects described by the study can be found in *A Compendium of Selected Criminal Justice Projects* available from LEAA's National Criminal Justice Reference Service (NCJRS). Organizations which serve as sources of information on court programs include the NCJRS of LEAA, the Conference of Chief Justices, the National Center for State Courts, the National College of the State Judiciary and the ABA. The types of information provided in the two major documents cited above will be briefly described to assist prospective program planners in locating relevant material.

*The Court Improvement Program, A Guidebook for Planners* (National Center for State Courts). Published in 1972, the guidebook provides information on projects dealing with:

- court administration and management;
- systems and technology;
- education and training;
- personnel;
- bail, pretrial release, and diversion;
- community probation services;
- volunteer programs;
- court organization and law reform;
- facilities, architecture, and space utilization; and
- appellate courts.

The initial pool of projects was developed following contacts with judges, court administrators and court planners throughout the country. The projects included in the document were judged to have high potential value for court planners.

For each project discussed, four basic classes of information are provided:

- the goals of the project;
- the methods used by the project;
- the project budget; and
- the name of a person to contact to learn more about the project.

*The Compendium of Selected Criminal Justice Projects.* The Compendium classifies the numerous court projects it describes in the following ways.

- court services projects (including pretrial release, pretrial diversion, addict intervention, pre-sentence diagnosis, and public defender services);

- prosecution (including consumer fraud projects, dispute settlement, case screening, and interns; and
- court organization and management projects (including research studies, court management projects, videotaping projects, case management, court information systems, and training programs).

For each project, the following basic information is provided in the compendium:

- project name;
- name and address of subgrantee;
- funding data;
- major objectives;
- a project description;
- information on the project's impact; and
- a reference to contact for more information regarding the project.

## Footnotes

- 1 "Bellotti calls judicial system inaccessible, archaic, chaotic." Boston Sunday Globe, February 1, 1976, p. 1 of section C.
- 2 "Judicial accountability called key to reform of Ohio court system." LEAA Newsletter, vol. 5, no. 5 (1975), p. 18-19.
- 3 Many commission recommendations are summarized in the Appendix. For further information see the reports of the American Bar Association Project on Standards for Criminal Justice, the American Bar Association Commission on Standards of Judicial Administration, the President's Commission on Law Enforcement and Administration of Justice (particularly the Courts Task Force report) and the National Advisory Commission on Criminal Justice Standards and Goals (particularly the Courts Task Force Report and the Information Systems and Statistics Task Force Report, the latter entitled, Criminal Justice System).
- 4 See Irving, J., Pennington, H. and Haynes, P. Report of the Special Study Team on LEAA Support of the State Courts for comments on the resolutions. The resolutions themselves are available from the Council of State Governments.
- 5 Ibid., p. 8-17 (summary of findings and recommendations).
- 6 "State court group seeks less SPA control." Criminal Justice Newsletter, vol. 6, no. 20, (1975), p. 7.
- 7 "State courts and state planning agencies: an interview with Richard N. Harris." Criminal Justice Newsletter, vol. 6, no. 21, (1975), p. 4.
- 8 "Senate opens LEAA reauthorization hearings." Criminal Justice Newsletter, vol. 6, no. 20, (1975), p. 4.
- 9 Undated mimeo from Senator Edward Kennedy's office. Statement was made as an opening remark at a hearing of the Senate Subcommittee on Criminal Law in Fall, 1975.
- 10 "Court planning units now in 24 states." Criminal Justice Newsletter, vol. 6, no. 20, (1975), p. 7.
- 11 Ibid., p. 7.

12 See Irving, et.al. op.cit.supra, note 4.

13 An interesting description of this committee is presented in the Annual report to the Governor and Legislature of the committee, December 31, 1974.

14 See Swain, J. and Tobin, R. Summary statement on judicial planning LEAA, mimeo.

15 Ibid.

16 Ibid.

17 See Abt Associates' validation report on LA Planning Research Unit.

18 From materials obtained from the Santa Clara County Judicial Pilot Program.

19 Material on the Los Angeles County Municipal Courts Planning and Research Unit was gathered from a number of sources including grant applications made by the unit, project reports produced by the unit, interviews with project personnel and related criminal justice officials, a monitoring evaluation conducted by the Los Angeles Regional Criminal Justice Planning Board, an evaluation conducted by students at the UCLA Graduate School of Management, and an intensive validation study conducted by Abt Associates for the purpose of validating the unit's exemplary project application. Much of the material in Chapter 3 originally appeared as part of the Abt Associates' validation report for LEAA.

20 See Swain and Tobin, op.cit.supra, note 7.

21 California Judicial Process Taskforce Report, updated mimeograph, p. 2.

22 See the Foreword to A National Strategy to Reduce Crime, Washington, D.C., January 23, 1974. This is one of the volumes of the National Advisory Commission.

23 From a policy statement issued by then LEAA Administrator Santarelli in early 1974.

24 From a videotape made in cooperation with the Chamber of Commerce of the United States and the American Bar Association Section on Criminal Justice, released August, 1973.

- 25 From the American Bar Association's Comparative Analysis of Standards and Goals of the National Advisory Commission on Criminal Justice Standards and Goals with Standards for Criminal Justice of the American Bar Association, published 1973.
- 26 Ibid, p. xi.
- 27 All fifteen involve standards judged to be inconsistent or incomparable by the ABA comparative analysis study cited in note 51.
- 28 Judgements of comparability for the National Advisory Commission and the ABA Project on Criminal Justice standards were based upon the conclusions of the ABA comparative analysis study cited in note 51; comparisons of the NAC standards and the ABA Commission on Judicial Administrations standards were made by the authors.
- 29 See discussion in the ABA comparative analysis study cited in note 51.
- 30 Ibid, p. viii. and p. x.
- 31 Ibid, p. x.
- 32 Previously noted at note 21.
- 33 The guideline was published by the National Center for State Courts in November, 1972 as report # NCSC 0002.



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The Los Angeles Experience**

To help LEAA better evaluate the usefulness of this document, the reader is requested to answer and return the following questions.

1. What is your general reaction to this document?

Excellent       Average       Useless  
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2. To what extent do you see the document as being useful in terms of: (check one box on each line)

	Highly Useful	Of Some Use	Not Useful
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Administering ongoing projects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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6. How did this document come to your attention? (check one or more)

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7. Have you contacted or do you plan to contact the Los Angeles Project site for further information?

8. Check ONE item below which best describes your affiliation with law enforcement or criminal justice. If the item checked has an asterisk (\*), please also check the related level, i.e.,

Federal       State       County       Local

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LEAA Regional Office

Court \*

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Citizen Group

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